

District Court of Appeal Workload and Jurisdiction Assessment Committee

Final Report and Recommendations

September 30, 2021

District Court of Appeal Workload and Jurisdiction Assessment Committee

Table of Contents

| | |
|---|----|
| District Court of Appeal Workload and Jurisdiction Assessment Committee Members | 2 |
| Executive Summary | 3 |
| Background | 5 |
| Administrative Order and Rule | 5 |
| 2006 DCA Workload and Jurisdiction Assessment Committee | 5 |
| Committee Meetings and Methodology | 6 |
| Statistics Reviewed by Committee | 8 |
| Case-Activity Data | 8 |
| Judicial Residency and Demographic Information | 11 |
| Outreach | 11 |
| Assessment Surveys | 11 |
| <i>DCA Judge Survey</i> | 12 |
| <i>Non-Appellate Judge and Attorney Survey</i> | 12 |
| <i>Litigant Survey</i> | 13 |
| <i>Florida Department of Corrections Survey</i> | 14 |
| <i>Public Survey</i> | 14 |
| Public Hearing | 15 |
| Evaluation of the District Courts | 15 |
| Effectiveness | 16 |
| Efficiency | 16 |
| Access to Appellate Review | 17 |
| Professionalism | 17 |
| Public Trust and Confidence | 17 |
| Considerations | 18 |
| Recommendations | 21 |
| Create at Least One Additional District Court of Appeal | 21 |
| Implementation and Operational Considerations | 26 |
| Minority Comments: Maintain Existing District Courts of Appeal | 30 |
| Conclusion | 30 |
| Appendices | 32 |

District Court of Appeal Workload and Jurisdiction Assessment Committee Members

First District Territorial Jurisdiction:

The Honorable Stephanie Ray, Judge, First District Court of Appeal

The Honorable Elijah Smiley, Circuit Judge, Fourteenth Judicial Circuit

Mr. Michael Orr, Member, Board of Governors, The Florida Bar

Second District Territorial Jurisdiction:

The Honorable Suzanne Labrit, Judge, Second District Court of Appeal

The Honorable Danielle Brewer, County Court Judge, DeSoto County

The Honorable Brian Haas, State Attorney, Tenth Judicial Circuit

Third District Territorial Jurisdiction:

The Honorable Ed Scales, Judge, Third District Court of Appeal (Chair)

The Honorable Bertila Soto, Circuit Judge, Eleventh Judicial Circuit

Mr. Raoul G. Cantero, III, Attorney

Fourth District Territorial Jurisdiction:

The Honorable Dorian K. Damoorgian, Judge, Fourth District Court of Appeal

The Honorable William L. Roby, Circuit Judge, Nineteenth Judicial Circuit

Ms. Rosalyn Sia Baker-Barnes, Member, Board of Governors, The Florida Bar

Fifth District Territorial Jurisdiction:

The Honorable Meredith L. Sasso, Judge, Fifth District Court of Appeal

The Honorable Andrea K. Totten, County Court Judge, Flagler County

The Honorable Blaise Trettis, Public Defender, Eighteenth Judicial Circuit

Staff support provided by the Office of the State Courts Administrator.

Executive Summary

In re: District Court of Appeal Workload and Jurisdiction Assessment Committee, Fla. Admin. Order No. AOSC21-13 (May 6, 2021), issued in accordance with Florida Rule of General Practice and Judicial Administration 2.241, established a committee to evaluate the necessity for increasing, decreasing, or redefining the appellate districts. The rule criteria that directed the evaluation by the District Court of Appeal Workload and Jurisdiction Assessment Committee (Committee) included: effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence. The last time a committee conducted a district court of appeal (DCA or district court) jurisdictional assessment under the rule was in 2006.

The Committee met a total of six times during its five-month term. During those meetings the Committee considered case filings, weighted judicial workload, clearance rates, time to disposition, and other related data to assist in its evaluation. The Committee solicited input from appellate judges, non-appellate judges and attorneys, litigants, Department of Corrections inmates, and the public via survey instruments to further support the assessment. The Committee also conducted a public hearing and additional outreach to satisfy the rule criteria and fully address its charges.

Committee members relied on quantitative and qualitative information available and their collective judgment as judges and legal practitioners to evaluate the districts according to the criteria established in rule. As it relates to effectiveness and efficiency, district court filings and weighted judicial workload showed a general decline in the last five years, and clearance rates and the number of pending cases showed largely favorable trends during that same period. Some members expressed support for improvement on effectiveness and efficiency with lower case counts per judge and fewer judges per district. The Committee considered a number of other statistics and additional information to assist in the members' evaluation of those criteria. Of more concern to some members were noted opportunities, based on the survey responses and their own experience, judgment, and outreach, for improvement within the criteria of access to appellate review, professionalism, and, in particular, public trust and confidence. The lowest levels of support for the elements of the district courts working well among survey respondents were in the areas of attracting a diverse pool of applicants for judicial vacancies and public trust and confidence.

As a result of the evaluation, a majority of the Committee members recommend increasing the appellate districts by at least one DCA. The primary rationale for the recommendation is that creation of an additional DCA would promote public trust and confidence. Specifically, an additional DCA would

District Court of Appeal Workload and Jurisdiction Assessment Committee

help provide adequate access to oral arguments and other proceedings, foster public trust and confidence based on geography and demographic composition, and help attract a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within each district. The creation of a sixth DCA may also positively impact other criteria such as effectiveness.

The current DCA jurisdictional map is provided for reference. See Figure 1 below. The scenario preferred by the plurality, Scenario C, shown as Figure 2, accomplishes the following:

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth Judicial Circuit moves from the Fifth DCA into the Second DCA, comprised of the Ninth, Tenth, and Twentieth judicial circuits; and
- The Sixth, Thirteenth, and Twelfth judicial circuits move from the Second DCA to comprise a sixth DCA.

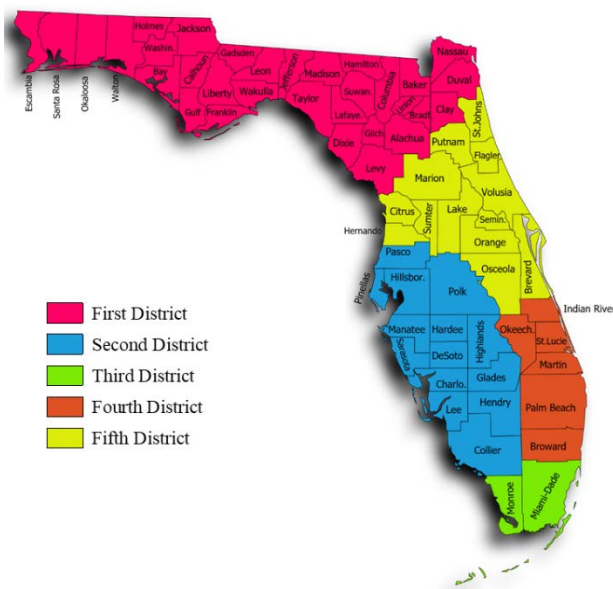


Figure 1

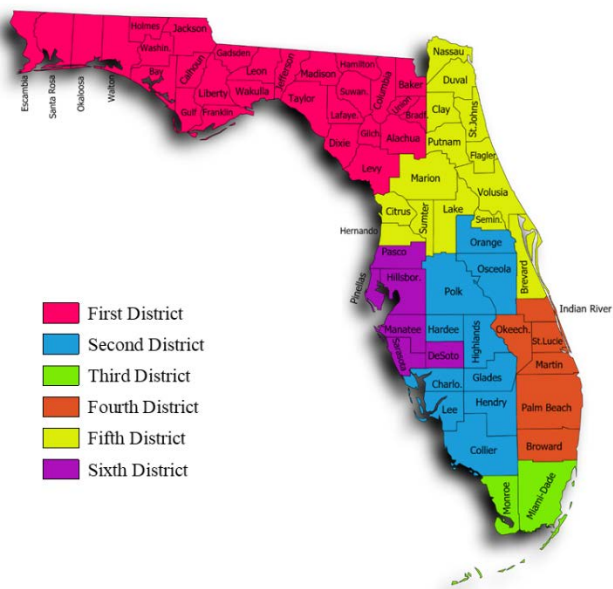


Figure 2

A minority of the Committee members favor maintaining the existing jurisdictional boundaries of the five DCAs. These members state that the data the Committee reviewed, when applied to the five criteria prescribed in Rule 2.241, does not establish a need to change the boundaries of the existing DCAs.

Background

Administrative Order and Rule

Chief Justice Charles T. Canady established the District Court of Appeal Workload and Jurisdiction Assessment Committee through Fla. Admin. Order No. AOSC21-13, issued on May 6, 2021. (See Appendix A). The order, issued in accordance with Florida Rule of General Practice and Judicial Administration 2.241 (see Appendix B), charged the Committee with evaluating the necessity for increasing, decreasing, or redefining the appellate districts. The administrative order appointed 15 members, three from the territorial jurisdiction of each DCA, to carry out the evaluation. The membership of the Committee consisted of judges from each of the DCAs, circuit and county judges, private attorneys, and a state attorney and a public defender. The Committee had four and a half months to complete the evaluation, with final recommendations due to the Chief Justice by September 30, 2021.

The Committee was directed to conduct the review based on specific criteria articulated in Rule 2.241, which governs the process for determining and certifying the necessity to increase, decrease, or redefine judicial circuits and appellate districts as required by the State Constitution. The criteria are: effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence. The rule provides specific factors to be considered under each criterion. The rule also requires the Committee to confer with the chief judges and other representatives of the district and trial courts, court budget commissions, The Florida Bar, and the public as part of the evaluation.

Increasing, decreasing, or redefining judicial circuits was not included as part of this Committee's charge.

2006 DCA Workload and Jurisdiction Assessment Committee

Prior to this Committee's review, the last time a DCA workload and jurisdictional assessment committee conducted such an evaluation was in 2006. The process and information contained in the final report of the 2006 Committee was very instructive to the current Committee's work. Guided by the same rule criteria, the 2006 Committee carried out its charges and submitted its final report within nine months. The 2006 Committee had a similar 15-member composition to this Committee – a DCA judge, a trial court judge, and an attorney from each of the five DCAs. That Committee met a total of five times.

The 2006 Committee considered numerous statistical reports to address its charge. From 2000 to 2005, there was a general increase in overall DCA filings; in fiscal year 2005-06 there were approximately 25,000 DCA filings. That Committee also considered the per-judge caseload and weighted

District Court of Appeal Workload and Jurisdiction Assessment Committee

dispositions per judge, which were 291 in fiscal year 2005-06. The relative case weights provide information regarding the relative judicial workload involved in each type of case, show how a court's judicial workload has increased or decreased over time, and allow for a comparative assessment of the distribution of judicial workload among the districts. The 2006 report included a variety of other statistics.

The 2006 Committee conducted surveys of district court judges, all other judges, attorneys, litigants (including inmates in the custody of the Florida Department of Corrections), and the public. During the 2006 survey assessment, 27 of the 62 DCA judges responded to the survey (44 percent), and the results were largely favorable of each DCA's performance. Of the remaining surveys, responses were received from 59 judges, 203 attorneys, 94 litigants, 95 public non-litigants, and 1,343 inmates. Judges rated the criteria between "neutral" and "agree," and attorney responses were more in the neutral range. The surveys had a high occurrence of "no opinion" responses. Similar to this Committee's efforts, the 2006 Committee experienced challenges generating interest in the public hearing, with only four individuals participating.

The 2006 Committee concluded that there was no compelling need to create another appellate district or to reorganize the territorial jurisdiction of the existing appellate districts. The Committee considered branch courthouse locations but was concerned that a recommendation for a new branch court in any district might result in numerous other branches in other districts. The 2006 Committee recommended further study of the advisability and feasibility of chambers dispersion (remote work) and recognized the potential value of video oral argument and electronic filing systems. That Committee recommended continuing to make use of associate judges and senior appellate judges when appropriate. While taking no position on the use of per curiam affirmances, the Committee did note the negative perceptions surrounding that practice. The 2006 District Court of Appeal Workload and Jurisdiction Assessment Committee Report is available online on the Florida Courts website.¹

Committee Meetings and Methodology

Similar to the 2006 Committee, this Committee had multiple meetings structured around data gathering and analysis, survey review, a public hearing, DCA performance based on the rule criteria, and recommendations development and approval. The Committee met a total of six times from May through September 2021, with each meeting addressing key components of its methodology. All but one of the Committee's meetings were held via

¹ https://www.flcourts.org/content/download/218249/file/dca_workload.pdf.

District Court of Appeal Workload and Jurisdiction Assessment Committee

videoconference. Summaries for meetings outlined above are included as Appendix C.

May 20, 2021: The Committee discussed significant considerations affecting appellate districts, including the recent appellate court jurisdiction expansion to hear county court appeals (Chapter 2020-61, Laws of Fla.), the pandemic workload anomalies experienced over the previous year due to the Coronavirus Disease 2019 pandemic, the proliferation and impact of remote appearance on DCA operations, the statutory change allowing eligible appellate judges to establish alternate headquarters locally for purposes of travel reimbursement/subsistence (Chapter 2020-61, Laws of Fla.), and E-filing and electronic document and case management advances. The Committee reviewed an initial set of statistical reports that included weighted judicial workload per judge, total case filings and filings per judge, clearance rates, average pending cases per month, percent of cases disposed within 180 days, filing trends, cases disposed, and other related information.

June 10, 2021: The Committee reviewed filings and dispositions by district, circuit, and county courts, the manner of DCA disposition, percent of cases with oral argument, DCA filings to population, DCA filings as a percent of trial court filings, an increase in filings based on the transfer of county appeals to the DCAs, model time standards for appellate courts, pro se DCA filings, and other relevant statistics. The Committee initiated development of survey instruments for DCA judges, non-appellate judges and attorneys, litigants, Florida Department of Corrections litigants, and the general public.

July 15, 2021 (hybrid meeting in Orlando, Florida, with some members appearing in person and others appearing remotely): The first portion of the meeting was a virtual public hearing, and the second portion was a business meeting. The results of the public hearing are discussed later in this report. The Committee considered the survey results from the DCA judge, non-appellate judge and attorney, and public survey instruments. The Committee also reviewed additional statistical information including historical DCA relative case weights, manner of disposition by DCA, average case time measures by DCA, number of settlements and mediated settlements, number of page numbers per record, and filing and disposition information for several other states and the U.S. Courts of Appeal. The Committee reviewed the existing circuit and county of residence for current appellate judges and their residence at time of application/appointment, as well as gender and race information for these judges. In addition, the Committee reviewed sample judicial nominating pools and the number of applicants and their primary practice circuit for some historical vacancies across the state.

District Court of Appeal Workload and Jurisdiction Assessment Committee

The Committee discussed the idea of a proposed amendment to Florida statutes that would, similar to Section 26.021 (governing considerations regarding circuit court vacancies), require that the district court judicial nominating commissions and the Governor consider geographic distribution and racial and ethnic diversity within the district when addressing district court vacancies. Ultimately, that proposal was voted unfavorably and is not included in this report as a final recommendation.

August 12, 2021: The Committee considered the results from the Department of Corrections and litigant surveys. The Committee discussed additional statistical information provided, including historical information related to the Second DCA Judicial Nominating Commission, and reviewed historical material from the creation of Florida's Fifth DCA in 1979. The Committee discussed a series of maps that depicted different jurisdictional scenarios. Some proposed scenarios reconfigured existing DCA jurisdictional boundaries while others added DCAs. The specific scenarios are discussed later in the report.

August 31, 2021: The Committee further considered the jurisdictional map scenarios, including the estimated judicial need based on the weighted judicial workload per judge, and reviewed the criteria in Rule 2.241.

September 17, 2021: The Committee discussed the draft report and subsequently offered comments and edits.

Statistics Reviewed by Committee

As discussed in the Committee Meeting and Methodology section above, the Committee reviewed and considered a variety of statistics related to operations of the DCAs. The Committee was mindful of the impact of the pandemic on statistics in the latter half of fiscal year 2019-20, fiscal year 2020-21, and the beginning of fiscal year 2021-22. For several statistics the analysis concluded with fiscal year 2019-20, or calendar year 2019 was used to control for any pandemic-related anomalies. Statistical information considered by the Committee can be found in Appendix D.

Case-Activity Data

Case filings for the DCAs had an overall decline over each of the last five fiscal years, from fiscal year 2015-16 through fiscal year 2019-20. Filings declined from 23,730 in fiscal year 2015-16 to 17,785 in fiscal year 2019-20. See Figure 3. Total case filings per judge experienced a similar yearly decline during the same period, decreasing from 370.8 in fiscal year 2015-16 to 277.9 in fiscal year 2019-20. Weighted judicial workload per judge decreased for each of the last five years in each DCA. See Figure 4.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DISTRICT COURTS OF APPEAL
Case Filings and Percent Change
Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|---------------|---------------|---------------|---------------|---------------|--|--|
| Administrative | 1,090 | 1,115 | 1,017 | 842 | 874 | -14.1% | -19.8% |
| Civil | 6,289 | 5,851 | 5,621 | 5,078 | 4,777 | -15.0% | -24.0% |
| Criminal Post Conviction | 4,898 | 4,624 | 4,351 | 4,021 | 3,517 | -19.2% | -28.2% |
| Other Criminal | 8,578 | 8,002 | 7,471 | 7,489 | 5,962 | -20.2% | -30.5% |
| Family | 1,327 | 1,298 | 1,188 | 1,339 | 1,335 | 12.4% | 0.6% |
| Juvenile | 1,106 | 1,141 | 1,128 | 1,134 | 920 | -18.4% | -16.8% |
| Probate/Guardianship | 246 | 220 | 217 | 235 | 254 | 17.1% | 3.3% |
| Worker's Compensation | 196 | 223 | 185 | 148 | 146 | -21.1% | -25.5% |
| Total | 23,730 | 22,474 | 21,178 | 20,286 | 17,785 | -16.0% | -25.1% |

Figure 3

DISTRICT COURTS OF APPEAL
Weighted Judicial Workload Per Judge and Percent Change
Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Three Year Average Weighted Judicial Workload Per Judge (2017-18 to 2019-20) | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|----------|---------|---------|---------|---------|---------|---|--|--|
| First | 281 | 268 | 254 | 240 | 224 | 239 | -11.8% | -20.3% |
| Second | 295 | 292 | 257 | 245 | 244 | 249 | -5.1% | -17.3% |
| Third | 248 | 242 | 220 | 239 | 208 | 222 | -5.5% | -16.1% |
| Fourth | 372 | 341 | 304 | 256 | 238 | 266 | -21.7% | -36.0% |
| Fifth | 326 | 313 | 290 | 267 | 262 | 273 | -9.7% | -19.6% |

Note: Weighted judicial workload for FY 2015-16 to 2019-20 is based on the number of cases disposed on the merits and the relative disposition case weights developed in 2015.

Figure 4

Statewide clearance rates for fiscal year 2015-16 through fiscal year 2019-20 remained above 100 percent for each of those five years. Average pending cases per month declined each year from 15,322 in fiscal year 2015-16 to 12,223 in fiscal year 2019-20. The percent of criminal appeals and petitions

District Court of Appeal Workload and Jurisdiction Assessment Committee

disposed within 180 days of oral argument² from fiscal year 2015-16 through fiscal year 2019-20 varied between 96 and 98 percent, while the percent of non-criminal appeals and petitions disposed with 180 days of oral argument for the same time period varied between 92 and 96 percent.

The total number of cases disposed declined from 21,680 in fiscal year 2017-18 to 20,239 fiscal year 2019-20.³ The percent of cases with oral argument from fiscal year 2017-18 to fiscal year 2019-20 declined from 8 percent to 5.5 percent.

The number of DCA filings, from calendar year 2016 through calendar year 2020 declined each year while Florida's population continued to increase during the same period. See Figure 5. The total number of DCA filings per 100,000 population declined from 116 in calendar year 2016 to 70 in calendar year 2020. DCA filings as a percent of trial court filings from fiscal year 2015-16 to fiscal year 2019-20 remained between 0.74 and 0.57 percent. The percent of pro se filings to the DCAs remained fairly consistent, between 48 and 49 percent from fiscal year 2017-18 to fiscal year 2019-20.

DCA Workload and Jurisdiction Assessment Committee
DCA Filings and Population Trends and Forecasts
Calendar Year 2016, 2017, 2018, 2019, 2020, 2025, and 2030

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2025 | 2030 |
|------------------------------|------------|------------|------------|------------|------------|------------|------------|
| DCA Filings | 23,358 | 21,561 | 20,936 | 20,007 | 15,053 | * | * |
| DCA Filings per 100,000 Pop. | 116 | 105 | 100 | 94 | 70 | * | * |
| Population | 20,148,654 | 20,484,142 | 20,840,568 | 21,208,589 | 21,596,068 | 23,138,553 | 24,419,127 |

Notes:

1. 2016-2019 Population Link: <http://edr.state.fl.us/content/local-government/data/data-a-to-z/FLrevsharepops.xls>

2. 2020 Population Link: http://edr.state.fl.us/content/population-demographics/data/MediumProjections_2020.pdf

3. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

Figure 5

In addition to the calendar year data reflected in Figure 5, the Committee also reviewed information from fiscal year 2005-06, the last time a DCA workload and jurisdiction assessment committee was convened, through fiscal year 2019-20. Filings, dispositions, and weighted workload all declined from fiscal year 2005-06 to fiscal year 2019-20. The population increased by nearly 16 percent during that period; however, the filings per 100,000 people declined

² The percent of appeals and petitions disposed within 180 days of oral argument also includes instances of oral argument waived conference.

³ During the review process, Committee members inquired how many cases were disposed based on the most current information available. The fiscal year 2020-21 figure provided at that time – 15,793 – included information only through May 26, 2021.

District Court of Appeal Workload and Jurisdiction Assessment Committee

from 138 to 82. The median number of days from filing to disposition increased, and the total number of pending cases decreased during that period.

Judicial Residency and Demographic Information

The Committee reviewed the current circuit and county of residence for each of the 64 existing DCA judges. Within the First DCA, there is a concentration of judges residing in Leon County (13 of 15). The Second DCA has judges residing in Pinellas, Polk, Pasco, Manatee, and Hillsborough counties, with the largest number residing in Hillsborough County (eight of 16). Within the Third DCA there is a concentration of judges residing in Miami-Dade County (nine of 10). The Fourth DCA has judges residing in Palm Beach, Broward, St. Lucie, and Martin counties, with the largest number residing in Palm Beach County (six of 12). The Fifth DCA has judges residing in Marion, Orange, Seminole, and Brevard counties, with the majority residing in Orange County (six of 11). The majority of the 64 sitting DCA judges identified as white males.

Judicial Nominating Commission (JNC) applicant pools, examined for several vacancies from 2019 through 2021, showed that applicants and interviewees were represented from every circuit within the district courts' jurisdictional boundaries, with the exception of a spring 2020 applicant pool for a vacancy on the First DCA in which there were no applicants from the Third and Eighth judicial circuits. A closer examination was conducted of the Second DCA JNC applicant pools and nominees for vacancies from 2014 through 2020. That review found that for each vacancy, applications were received from throughout the district, with a majority of applications received from Hillsborough County. The majority of nominees, and ultimately appointees, were from Hillsborough County for the period reviewed.

Outreach

Assessment Surveys

Rule 2.241 requires the Committee to confer with the chief judges and other representatives of appellate districts and judicial circuits, district and trial court budget commissions, The Florida Bar, and the public for purposes of gathering additional information related to increasing, decreasing, or redefining appellate districts. Although the time period available for soliciting and evaluating feedback was more narrow than for the 2006 assessment, the response rate for many of the survey instruments surpassed the 2006 assessment.

The Committee modeled its survey in significant part on the survey instruments used in the 2006 assessment. The instruments included both standard questions across the instruments and more-tailored questions

District Court of Appeal Workload and Jurisdiction Assessment Committee

appropriate for the responding audience. Many of the questions were posed using a five-tiered scale and asked respondents to indicate their level of agreement with a series of questions. Free-response questions were also provided for respondents to elaborate on specific questions. The survey instruments aligned with the criteria and criteria elements outlined in Rule 2.241. Stakeholders were advised that their responses should be directed to the court as a whole and not to any individual judge on the court and to complete a separate instrument for each DCA for which they wished to provide comment. The Committee prepared a supplemental document, linked through the electronic surveys, that provided descriptive information relating to the district courts to assist in answering the survey questions. Survey responses were anonymous and compiled and analyzed as a group. There were limitations to the survey design, and a scientific random sample was not obtained. The surveys do, however, provide valuable insights into the perceptions of stakeholder groups. A copy of the survey instruments is included as Appendix E. A summary of the survey results is attached as Appendix F.

DCA Judge Survey

The DCA judge instrument received 64 responses. Sixty-seven percent of respondents disagreed with the statement that the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court would be improved by a change in jurisdiction. Forty-one percent of respondents indicated that they did not know if these criteria would be improved by administrative changes. The three most favorable scoring questions were: the DCA accommodates changes in statutes or case law impacting workload or court operations; the DCA provides litigant access for review of cases, consistent with due process; and the DCA provides access to oral argument and public proceedings. The three least favorable scoring questions were: the DCA fosters public trust and confidence given its demographic composition; the DCA recruits and retains qualified staff attorneys; and the DCA attracts a diverse group of well-qualified applicants for judicial vacancies from all circuits within the district.

Non-Appellate Judge and Attorney Survey

The electronic version of the non-appellate judge and attorney survey was sent to circuit court chief judges and trial court administrators with the request that it be shared with circuit judges, county judges, senior judges, hearing officers, general magistrates, and staff attorneys who work within the circuit. An email was also sent to the Division of Administrative Hearings requesting that the survey link be shared with judges within that organization. A mass email was sent to all members of The Florida Bar with a link to the survey. A follow-up reminder email to the Appellate Practice Section was sent.

District Court of Appeal Workload and Jurisdiction Assessment Committee

An article was published in the *Florida Bar News* highlighting the survey. The survey was further publicized through the Bar's social media platforms.⁴

The non-appellate judge and attorney survey received 1,553 responses. The majority of respondents were private attorneys, followed by public attorneys, then trial judges. Thirty-eight percent of respondents disagreed with the statement that the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the DCA would be improved by a change in jurisdiction. Forty percent of respondents indicated that they did not know if these criteria would be improved by administrative changes. The three most favorable scoring questions were: the DCA functions in a collegial manner; the DCA provides adequate access to oral argument and public proceedings; and the DCA handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary. The three least favorable scoring questions were: the DCA handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions; the DCA fosters public trust and confidence given its demographic composition; and the DCA attracts a diverse group of well-qualified applicants for judicial vacancies from all circuits within the district.

Litigant Survey

The electronic version of the litigant survey was sent to various stakeholder groups. In addition to a first round of broad outreach, specific further efforts were pursued. Emails with links to the litigant survey instrument were sent to particular membership groups with likely court system interaction, in an effort to generate additional responses. Responses were solicited in a *Florida Bar News* article emphasizing the desire for public input, with specific reference to the ongoing availability of the litigant survey. Social media posts from the Office of the State Courts Administrator, the Florida Supreme Court, and The Florida Bar, with audiences of tens of thousands of users, were provided in multiple posts each across Facebook, LinkedIn, and Twitter. Due to a lack of responses, the survey was left open for comment beyond the original closure date of June 30 until July 26. Despite additional efforts to generate interest in the survey, only two litigant responses were received. The Committee hypothesized that many of those that would have

⁴ Reports from some members suggested that the mass email to all members of The Florida Bar was caught in "junk" or "clutter" filters within Outlook, such that many of those receiving may not have noticed the email.

District Court of Appeal Workload and Jurisdiction Assessment Committee

completed the litigant survey instrument completed the attorney or public survey.

Florida Department of Corrections Survey

Surveying the inmate population at the Florida Department of Corrections (DOC) presented some unique logistical challenges. Coordination with DOC staff revealed the availability of an internally managed survey tool accessible by inmates. The DOC survey tool was very limited in its functionality and did not allow for free-response comments, access to the internet, or associated attachments. The DOC instrument also had certain question and overall-length requirements that had to be met. Committee staff worked with DOC staff to adjust the survey instrument to be consistent with these parameters. The modified survey was made available to all DOC inmates, except those who may have had computer tablet privileges revoked or were under psychiatric care. The DOC survey received 4,064 responses. Twenty-five percent of respondents indicated that they did not know if the DCA would be improved by a change in jurisdiction, and another 25 percent indicated that the DCA could be improved by adding an additional district. Twenty-four percent of respondents indicated that the DCA would be improved by administrative changes through the creation of subject matter divisions. An additional 20 percent of respondents indicated that adding judges would improve the administrative functioning of the DCA. The most-favorable response showed that 52 percent of respondents knew where to find court documents from the DCA. The question that generated the least-favorable response showed that 66 percent of respondents disagreed with the statement that the DCA decisions are fair and based on law.

Public Survey

The electronic version of the public survey instrument was posted on the Florida Courts website. The website link was shared through the courts' social media platforms. Additionally, the courts partnered with the Florida Court Clerks and Comptrollers to make the link available on individual clerk websites throughout the state. The public survey received 54 responses, with the majority of responses received from Leon County. Thirty-seven percent of public respondents indicated that the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal would not be improved by a change in jurisdiction, compared to 33 percent who thought it would. Fifty percent of public respondents indicated that they did not know if these criteria would be improved by administrative changes. The question with the most-favorable response showed that 76 percent of respondents knew where to find written documentation of DCA decisions. The least-favorable response showed the highest percent (35 percent) of respondents disagreed with the statement that

District Court of Appeal Workload and Jurisdiction Assessment Committee

the DCA fosters public trust and confidence given its demographic composition.

Public Hearing

The Committee determined that holding a public hearing would provide an additional opportunity to address the outreach requirement within Rule 2.241. Due to ongoing public health concerns associated with the pandemic and to facilitate maximum participation in one public hearing, the decision was made to hold the public hearing virtually. The public hearing was noticed on the Florida Courts website (www.flcourts.org) and on multiple occasions in the *Florida Bar News*. The public hearing information was also shared via the courts' and Bar's social media accounts. The public hearing was scheduled for July 15, to occur immediately before the Committee's business meeting. Statistical and geographical background information about the appellate courts accompanied the public hearing notice. A notice was also sent to the Executive Committee of The Florida Bar's Appellate Practice Section advising them of the hearing and the opportunity to provide comment. The Committee Chair was interviewed by the *Florida Bar News* to help encourage interest and participation.

Ultimately, however, only three individuals participated in the public hearing. A regional counsel stated that if the district boundaries were realigned it may have some impact on the offices of criminal conflict and civil regional counsel (regional conflict counsel offices). However, she commented, that if there was a change in district court jurisdictional lines, she thought that the regional conflict counsel offices' jurisdictional boundaries could remain the same. A pro se litigant primarily spoke about specifics of her case. She expressed concern regarding DCA clearance rates and the opportunity for pro se litigants to access the appellate courts. Lastly, a retired Florida DCA judge commented that he did not see the need to alter the DCA jurisdictional lines and that the current appellate judges were effectively managing the workload.

To increase transparency associated with the public hearing process and to allow those not wishing to make comment an opportunity to view the hearing, the Committee meeting was livestreamed on the Florida Courts website. A full recording of the hearing is available online.⁵

Evaluation of the District Courts

The Committee considered how changes to district court jurisdiction may implicate the criteria prescribed in Rule 2.241. To assist with this evaluation, the Committee identified measures that could be assigned to the criteria as indicators. Some of the criteria are more appropriately assessed with

⁵ <https://1drv.ms/v/s!Ai0CLKY4zZHMh59FknRJ9qsaM7S5uA?e=V6QOtn>.

District Court of Appeal Workload and Jurisdiction Assessment Committee

quantitative measures and others more qualitative measures. Committee members discussed the statistics provided and the survey responses and relied on their collective judgment as judges and legal practitioners in evaluating how the district courts are functioning in relation to each criterion.

Effectiveness

Clearance rates and number of pending cases showed favorable trends over the last five years. Some timeliness measures (e.g., average time from perfection to oral argument or conference) showed some variability among DCAs, and the Committee noted there was some concern expressed from appellate court users about delays in receiving an appellate decision. A specific factor under the effectiveness criterion seeks to determine the extent to which the DCA handles its workload, permitting its judges to prepare written opinions when warranted. A number of survey comments expressed concern with the number of per curiam affirmances currently being generated in the district courts and indicated a preference for more written opinions. The Committee discussed the “ideal” size for a DCA and the impact that a potentially large number of judges on a court may have on collegiality. The Committee also considered the decline in weighted workload per judge. Members discussed concerns with future effectiveness based on Florida’s increasing population and the complexity of law. The DCA judges scored “accommodating changes in statutes or case law impacting workload or court operations” as the highest-scoring question on the survey. Non-appellate judges and attorneys scored “handles workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions” as one of the lowest-scoring questions on the survey.

Efficiency

Similar to the effectiveness criterion described above, the efficiency measure relies on similar quantitative measures for an assessment. As noted, clearance rates and number of pending cases showed favorable trends over the last five years, although some appellate customers expressed concern about an overall delay in receiving a decision. The Committee discussed the number of cases resolved within time standards and looked at other states and national best practices related to time standards. For the past five fiscal years (fiscal year 2015-16 through fiscal year 2019-20), the percentage of cases resolved within 180 days of oral argument has been between 92 and 98 percent for criminal and non-criminal cases, which generally falls within the standard established by the Florida Supreme Court. Although this statistic reflects that Florida’s district courts have performed well in the area of efficiency, with the addition of a DCA and the realignment of certain jurisdictional boundaries, the district courts could perhaps perform better. Members discussed the value of

District Court of Appeal Workload and Jurisdiction Assessment Committee

preparing Florida for the future and the challenges that future might bring to the appellate courts. Some members stressed the principle of “forward thinking” to best prepare the district courts to address the state’s growing population and legal needs and discussed how alternative boundaries for the district courts may best meet those needs.

Access to Appellate Review

Recent advances in remote technology have assisted litigants with access to the appellate courts. Electronic filing and the ability to appear remotely for oral argument are advances that continue to promote access to appellate review. Since the start of the pandemic in 2020, the appellate courts have increased their ability to provide oral arguments remotely. However, the comment was made that not all those requiring services from the appellate courts may have reliable internet access or may wish to access the courts in that manner. Among the top-three scoring questions from the DCA judge survey were providing litigant access for review of cases and providing access to oral arguments and public proceedings. The non-appellate judge and attorney instrument also rated providing access to oral argument and public proceedings in its top-three rated questions. The highest-scoring question on the public survey showed that 76 percent of respondents knew where to find written documentation of DCA decisions. That same question was also the highest-scoring question from the DOC survey, with 52 percent agreeing they knew where to find court documents from the DCA. To further promote access to appellate review, some Committee members expressed that certain appellate jurisdictions could be reconfigured to provide a more practical location for the court.

Professionalism

The DCA judge survey revealed recruiting and retaining qualified staff attorneys as a challenge; the question on this topic was among the lowest-scoring questions. The non-appellate judge and attorney survey responses categorized “handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary” in its top-three scoring responses. The public survey also provided relatively positive responses for questions related to professionalism. The Committee discussed the potential benefits of a smaller court and the ability to handle workload more efficiently, allowing additional time for judges and staff to participate in continuing education and specialized training.

Public Trust and Confidence

The Committee discussed that this criterion offers the most room for improvement. There was significant discussion regarding fostering public trust

District Court of Appeal Workload and Jurisdiction Assessment Committee

and confidence given a court's geography and demographic composition and attracting a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. The Committee examined the JNC applicant pools and noted that reducing the size of DCAs – particularly the First DCA and Second DCA – could encourage applicants from all of the circuits within the DCA. It was suggested that some individuals may be dissuaded from applying for vacancies based on the appearance that representation on the DCA is dominated by a particular circuit. The Committee also noted that the gender and racial diversity among the sitting DCA judges could be improved. The two survey questions addressing geographic and demographic composition and attracting a diverse group of well-qualified applicants for judicial vacancies consistently were the lowest-scoring survey questions across the instruments. The Committee felt that this criterion could be improved through a change in jurisdictional lines.

Considerations

The Committee considered the threshold decision of whether to maintain the current territorial jurisdiction of the appellate districts or propose a change. A majority of the Committee concluded that changes to the appellate districts are warranted. The majority expressed that there were sufficient concerns, either implied in the data and surveys or based on their experience, judgment, and outreach, to consider increasing districts or changing the boundaries of the existing districts in order, for example, to improve representation across the territorial jurisdiction.

The Committee considered a number of scenarios that realigned the DCA jurisdictional boundaries. While considering the jurisdictional boundaries, the Committee operated under the assumption that the number of DCA judges would remain constant at 64. Committee discussions also included the possibility that, through the separate certification/decertification process, the number of DCA judges may increase or decrease over time. There were several underlying principles that were important to the Committee and that helped inform the alternate district court jurisdictional lines favored. Some members of the Committee believed that realigning appellate districts may encourage gender balance, racial/ethnic balance, and workload balance.

The scenarios were created based on member comments to help visualize a reconfigured DCA. The scenarios include a brief bulleted description of the changes to the existing district court geographical structure. A color-coded map accompanies the description. Statistics follow the color-coded map; these are based on calendar year 2019 data. The population, travel distance, cases filed, and cases disposed are all calculated based on the proposed jurisdictional lines for that particular district, as illustrated by the colored map. The percent

District Court of Appeal Workload and Jurisdiction Assessment Committee

of cases filed and percent of cases disposed on the merits provide insight on the distribution of those filings and dispositions across the district courts. Each scenario also contains the number of judges currently assigned to each of the existing DCAs, based on the current configuration. Judges by county of residence is provided to help illustrate where current DCA judges reside based on the reconfigured districts.

The “Estimated Judicial Need” for the reconfigured appellate districts represents a preliminary estimate only. The need is based on the weighted judicial workload per judge. The annual certification process, required by the Florida Constitution, would include a more comprehensive analysis to determine the need to increase or decrease the number of judges based on changes in workload brought about by the redefined districts. The lettered scenarios described below create a sixth DCA or sixth and seventh DCAs, while the two numbered scenarios realign the district court boundaries only and do not create an additional DCA. Scenarios analyzed by the Committee are summarized below, in Figure 6, and included as Appendix G.

| | Jurisdictional Changes | Potential Result |
|---|--|---|
| A | <ul style="list-style-type: none"> Creates 6th DCA (6th, 12th, 13th, and 20th Circuits) 4th Circuit moves from the 1st DCA to the 5th DCA 9th Circuit moves from the 5th DCA to the 2nd DCA | <ul style="list-style-type: none"> Creates compact central Florida district Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench Does not require a court larger than 13 judges based on estimated judicial need |
| B | <ul style="list-style-type: none"> Creates 6th DCA (6th, 12th, 13th, and 20th Circuits) 4th Circuit moves from the 1st DCA to the 5th DCA 5th and 9th Circuits move from the 5th DCA to the 2nd DCA | <ul style="list-style-type: none"> May help better balance workload Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench Does not require a court larger than 13 judges based on estimated judicial need |
| C | <ul style="list-style-type: none"> Creates 6th DCA (6th, 12th, and 13th Circuits) 4th Circuit moves from the 1st DCA to the 5th DCA 9th Circuit moves from the 5th DCA to the 2nd DCA | <ul style="list-style-type: none"> Creates a Tampa Bay area specific DCA to address significant workload May help better balance workload Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench More equal distribution of judges across the DCAs, with no single court greater than 12 judges based on estimated judicial need |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| | Jurisdictional Changes | Potential Result |
|---|--|---|
| D | <ul style="list-style-type: none"> Creates 6th DCA (4thth, 5th, and 7th Circuits) Creates 7th DCA (10th, 12th, and 20th Circuits) 2nd DCA comprised of the 6th and 13th Circuits 4th DCA comprised of the 15th and 17th Circuits 5th DCA comprised of the 9th, 18th, and 19th Circuits | <ul style="list-style-type: none"> Presents the most potential for disruption but also presents a more ideal alignment of the DCAs, if given a “blank slate” May help better balance workload Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench More equal distribution of judges across the DCAs, with no single court greater than 10 judges based on estimated judicial need Population within the DCAs more evenly distributed |
| 1 | <ul style="list-style-type: none"> 4th Circuit moves from the 1st DCA to the 5th DCA | <ul style="list-style-type: none"> Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench Least disruptive scenario, moves only one circuit |
| 2 | <ul style="list-style-type: none"> 4th Circuit moves from the 1st DCA to the 5th DCA 20th Circuit moves from the 2nd DCA to the 3rd DCA | <ul style="list-style-type: none"> Greater opportunity for those from the 4th Circuit to be appointed to the appellate bench Creates a 3rd DCA covering much of the southern portion of the state |

Figure 6

District Court of Appeal Workload and Jurisdiction Assessment Committee

Recommendations

Create at Least One Additional District Court of Appeal

During its deliberations, the Committee considered four primary options:

- Maintain the jurisdictional boundaries of the existing five DCAs;
- Redefine the boundaries among the existing DCAs;
- Create a sixth DCA; and
- Create a sixth DCA and a seventh DCA.

As noted in the “Considerations” section of this report, the Committee considered multiple scenarios redefining boundaries among the existing DCAs or redefining the appellate districts in order to create an additional DCA or additional DCAs. The current DCA jurisdictional map is provided for reference. See Figure 7.

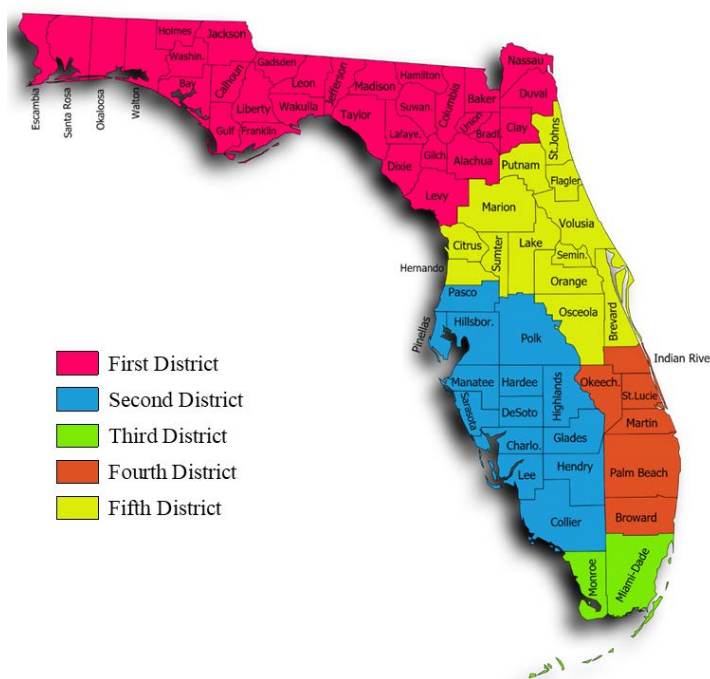


Figure 7

| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | |
| 1 | 3,346,191 | 24,803 | 3,986 | 21% | 4,506 | 23% | 15 |
| 2 | 5,919,471 | 15,306 | 5,008 | 26% | 5,127 | 26% | 16 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 |
| 5 | 4,928,261 | 12,825 | 3,837 | 20% | 3,947 | 20% | 11 |
| Total | 21,100,003 | 65,759 | 19,265 | 101% | 19,897 | 100% | 64 |

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth Judicial Circuit moves from the Fifth DCA into the Second DCA, comprised of the Ninth, Tenth, and Twentieth judicial circuits; and
- The Sixth, Thirteenth, and Twelfth judicial circuits move from the Second DCA to comprise a sixth DCA.



⁶ The chair of the Committee did not vote, resulting in a total of 14 votes.

District Court of Appeal Workload and Jurisdiction Assessment Committee

The primary rationale for the recommendation is that creation of an additional DCA would promote public trust and confidence, which is criterion (5) of Rule 2.241. Specifically, an additional DCA would help provide adequate access to oral arguments and other proceedings, foster public trust and confidence based on geography and demographic composition, and attract a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within each district. Some members also opined that creation of an additional DCA would contribute to other criteria in the rule, including increased effectiveness, greater access to appellate review, and increased professionalism.

Among the arguments offered by these members in favor of creating one or more additional DCAs are:

- If the state were starting from a “clean slate,” more than five DCAs would likely be created based on Florida’s geography and population centers. Having additional DCAs would help the state prepare for continued population growth, as well as respond to increased complexity of cases and expansion of the law.
- Among most survey results, the lowest levels of support for the elements of the DCAs that are working well were in the areas of attracting a diverse pool of applicants for judicial vacancies and public trust and confidence. Changes in the courts’ jurisdiction would address, if not assuage, such concerns.
- The square mileage of a district court’s jurisdiction affects access to appellate review, and an additional DCA would generally cause districts to be smaller in size.
- Although there is not a “magic” size for a court, having additional DCAs with potentially fewer judges on each court would contribute to effectiveness by promoting collegiality among the judges and promote consistency in opinions and the expediting of appropriate cases. There is a concern that some of the existing DCAs may be close to having “too many” judges on one court, which will be problematic if there is a future need for additional judges and which limits the ability of practitioners to know the judges on a given court. Further, an additional DCA may help reduce the differential between the court with the most judges and the court with the fewest judges.
- A more compact configuration of DCAs may help with recruitment of applicants for vacancies from all circuits within a given district, as well as encourage a qualified and diverse applicant pool. The perception of fairness is increased by having greater judicial representation among all of the circuits in a given DCA.
- Additional DCA locations would help with recruitment of qualified staff.

District Court of Appeal Workload and Jurisdiction Assessment Committee

Among the members favoring a change to the number and jurisdictional boundaries of DCAs, there was some support (four members) for Scenario B (see Figure 9 below) creating a sixth DCA in which:

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth and Fifth judicial circuits move from the Fifth DCA into the Second DCA, comprised of the Fifth, Ninth, and Tenth judicial circuits; and
- The Sixth, Thirteenth, Twelfth, and Twentieth judicial circuits move from the Second DCA to comprise a sixth DCA.

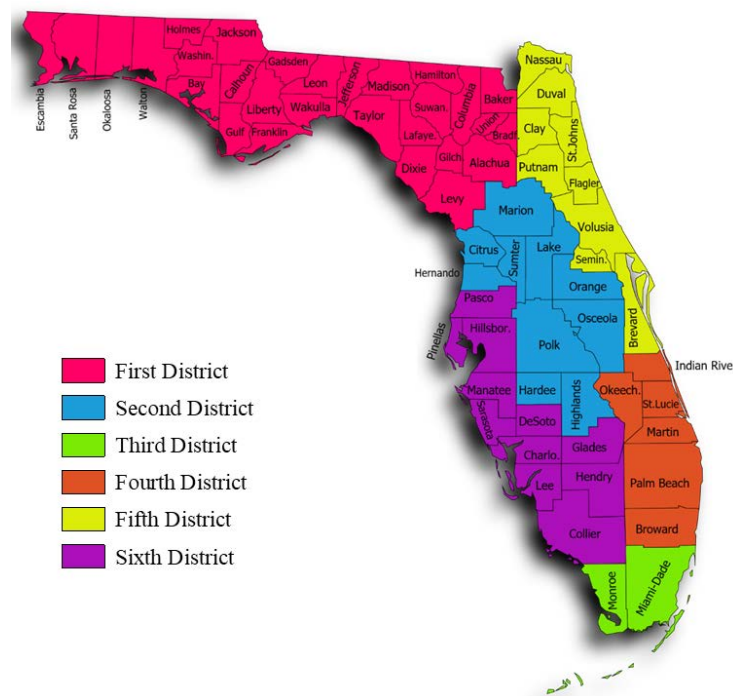


Figure 9

| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario B | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 3,717,251 | 11,026 | 3,115 | 16% | 3,171 | 16% | 16 | 10 | 10 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 9 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 3,287,221 | 7,842 | 2,775 | 14% | 3,155 | 16% | 11 | 6 | 10 |
| 6 | 5,107,320 | 11,551 | 4,114 | 21% | 4,227 | 21% | 0 | 13 | 13 |
| Total | 21,100,003 | 65,759 | 19,265 | 100% | 19,897 | 99% | 64 | 64 | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

There also was some support (four members) for Scenario D (see Figure 10 below) creating a sixth DCA and a seventh DCA in which:

- The Fourth Judicial Circuit moves from the First DCA into a sixth DCA, comprised of the Fourth, Fifth, and Seventh judicial circuits;
- The Sixth and Thirteenth judicial circuits comprise the Second DCA;
- The Nineteenth Judicial Circuit moves from the Fourth DCA to the Fifth DCA, comprised of the Ninth, Eighteenth, and Nineteenth judicial circuits; and
- The Tenth, Twelfth, and Twentieth judicial circuits move from the Second DCA to comprise a seventh DCA.

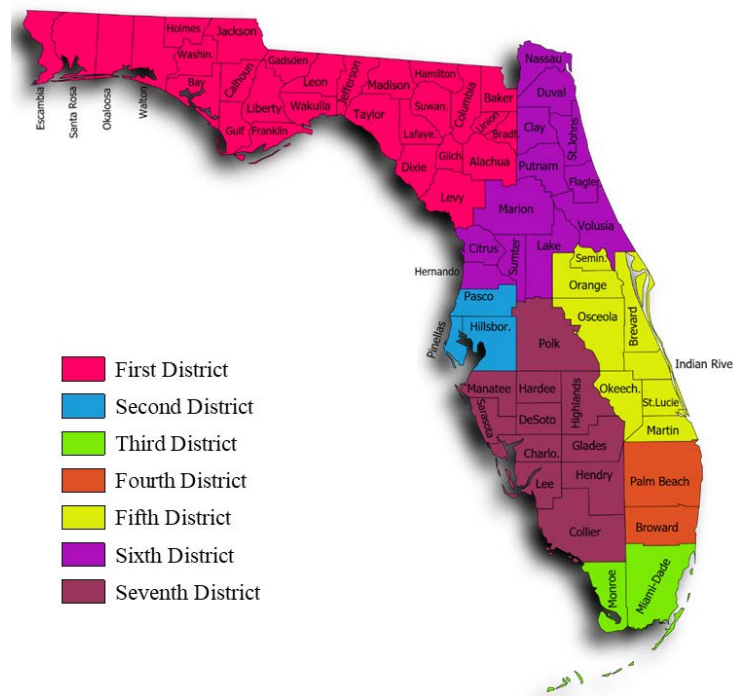


Figure 10

| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario D | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 2,929,443 | 2,742 | 2,450 | 13% | 2,517 | 13% | 16 | 12 | 8 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 10 |
| 4 | 3,364,508 | 3,706 | 3,089 | 16% | 2,932 | 15% | 12 | 8 | 9 |
| 5 | 3,451,425 | 7,361 | 3,131 | 16% | 3,097 | 16% | 11 | 14 | 10 |
| 6 | 3,399,684 | 10,702 | 2,768 | 14% | 3,075 | 15% | 0 | 3 | 9 |
| 7 | 2,990,028 | 12,564 | 2,558 | 13% | 2,610 | 13% | 0 | 4 | 8 |
| Total | 21,100,003 | 65,759 | 19,265 | 100% | 19,897 | 100% | 64 | 64 | 64 |

Implementation and Operational Considerations

The Committee recognizes that redefining appellate districts raises questions about the impact on existing judges residing with the territorial jurisdiction of a given court. Specifically, a boundary change may result in a workload need for fewer or more judges than currently reside within a particular DCA. Further, a judge may reside within a judicial circuit that moves into another DCA.

Other than as outlined below, the Committee does not offer specific recommendations on the manner in which creation of an additional DCA or DCAs should be implemented, deferring to the Supreme Court and, ultimately, the Legislature. The Committee, however, supports minimizing disruption and not requiring existing judges to change residences. In fact, the Committee recommends that no existing DCA judge's position be decertified while that judge is in office, and no existing DCA judge have to change residence in order to remain in office.

The Committee recognizes that the implementation of its recommendations may not be as simple as the implementation associated with 1979's creation of a fifth DCA. Creation of a fifth DCA was a recommendation of the Commission on the Florida Appellate Court Structure, which then-Chief Justice Arthur J. England, Jr., created by administrative order in 1978. In its report, the commission recommended an implementation structure under which each existing judge who resided within a county that was proposed for assignment to a new DCA would be considered a judge of the new DCA.⁷

In its subsequent opinion certifying the need for an additional DCA, the Supreme Court concurred with the commission's recommendation, noting:

As to judges currently residing in the realigned districts, no vacancies in office shall be deemed to occur by reason of the realignment of districts. Consequently, the five Second District judges residing in Hillsborough County shall remain judges of the Second District (which will encompass Hillsborough County); the two Second District judges residing in Polk County shall be judges of the new Fifth District (which will encompass Polk County); and the one Fourth District judge residing in Orange County shall be a judge of the new Fifth District (which will encompass Orange County).⁸

⁷ Report of Commission on the Florida Appellate Court Structure, v-vi (March 1979). <https://www.floridasupremecourt.org/content/download/242857/file/1979%20Commission%20on%20the%20Florida%20Appellate%20Court%20StructureOCR.pdf>.

⁸ *In re: Certification under Article V, Section 9, Florida Constitution, to Redefine Appellate Districts and to Increase the Number of Judges on the District Courts of Appeal*, 370 So. 2d 365, 367 (Fla. 1979). The Legislature omitted the Tenth Judicial Circuit from the new Fifth DCA, instead retaining it in the Second DCA. See section 1, chapter 79-413, Laws of Fla., and *In re: Advisory Opinion to the Governor Request of June 29, 1979*, 374 So. 2d 959 (Fla. 1979).

District Court of Appeal Workload and Jurisdiction Assessment Committee

Similarly, in its enactment creating a fifth DCA, the Legislature declared that no vacancy in office would occur through the realignment of appellate districts, and it authorized judges to transfer to the new DCA aligned to their current residence or change residence in order to remain on their current court:

35.063 Current judicial officers.--No vacancy in office shall be deemed to occur by reason of the realignment of districts; provided that a district court of appeal judge residing in a county, the district of which has been realigned, may, at his option, be a judge of the new district or remain with the present district by serving sworn notice, within 1 month of the effective date of this act, of intent to change residence in order to continue to serve the district in which he is presently serving.⁹

Section 8 of article V of the State Constitution provides in part that “[n]o person shall be eligible for office of justice or judge of any court unless the person is an elector of the state and resides in the territorial jurisdiction of the court.” It should be noted that in 1979 the Supreme Court also certified the need for and, the Legislature authorized and funded, additional DCA judges, which facilitated the ability to reassign judges to different DCAs while still addressing appropriate workload for each DCA. Creating a new DCA and realigning the boundaries of existing DCAs – operating solely with the existing 64 DCA judgeships – creates challenges in balancing workload if the goal is to not require a judge to change his or her residence. If it is assumed that there is no net need statewide for additional judges, and if a policy decision is made not to require judges to change residences, then the balancing of the number of judges needed by each DCA may have to occur over time, such as, for example, through addition of judges to some DCAs at the time a law change were effective and the reduction of judges on other DCAs by attrition, until balance is achieved consistent with the Supreme Court’s annual certification of need for judges. If the Supreme Court concurs with the Committee’s recommendation, it may wish to recommend to the Legislature that the legislation implementing the jurisdictional changes specify that vacancies will not be deemed to occur as a result of the changes and that excess capacity in a given DCA will be rectified through attrition.

The Committee also notes that there are a variety of operational issues with policy, fiscal, or legal implications from creating an additional DCA. The Committee believes these issues are not within its direct charges and defers their consideration to the Supreme Court and, ultimately, the Legislature. Examples of such issues include:

⁹ Section 4, Chapter 79-413, Laws of Florida.

District Court of Appeal Workload and Jurisdiction Assessment Committee

- *Facilities and Staffing:* An additional DCA would require establishment of a new courthouse for the court. An additional clerk and marshal would be necessary, as article V, section 4 of the Constitution requires each district court to appoint a clerk and a marshal. Other additional administrative-support positions may be necessary.
- *Judicial Nominating Commission:* Article V, section 11(d) of the Constitution requires a separate judicial nominating commission (JNC) for each district court of appeal. A new JNC would need to be established for any new DCA pursuant to s. 43.291, F.S., which provides for the composition of the JNCs. Under the statute, JNC members must be residents of the territorial jurisdiction served by that JNC. Thus, depending upon the residency of the current appointees, membership changes may be necessary among the existing JNCs.
- *Public Defender Appellate Representation:* Section 27.51, F.S., governs the duties of public defenders. The statute authorizes specified public defenders to provide appellate representation on behalf of other public defenders if requested (e.g., Public defender of the Tenth Judicial Circuit, on behalf of any public defender within the district comprising the Second District Court of Appeal). Creation of an additional DCA or DCAs would necessitate amendments to this statutory provision, such as to designate a public defender of a judicial circuit in the new DCA to provide this service on behalf of any public defender within that district.
- *Criminal Conflict and Civil Regional Counsel:* Section 27.511, F.S., provides for the creation of offices of criminal conflict and civil regional counsel to provide legal representation, among other instances, when the public defender has a conflict of interest. An office is created within the geographic boundaries of each of the five district courts of appeal. Thus, creation of an additional DCA may require establishment of an additional regional counsel office, unless a policy decision is made to otherwise provide for the existing five counsels to cover the geographic boundary of the additional DCA.
- *Capital Collateral Regional Counsel:* Section 27.701, F.S., provides for three regional offices of the capital collateral regional counsel (CCRC) for the sole purpose of instituting and prosecuting collateral actions challenging the legality of the judgment and sentence imposed against a person sentence to death. Each regional office is comprised of specified judicial circuits. To the extent CCRCs conduct intermediate appellate work, realignment of the circuits comprising the DCAs could affect CCRC operations.

District Court of Appeal Workload and Jurisdiction Assessment Committee

- *Controlling Case Law:* Legislation filed in 2004 that created a sixth DCA specified that “the newly created sixth district shall be controlled by case law as established in rule of the Supreme Court.”¹⁰
- *DCA Representation on Supreme Court:* Article V, section 3(a) of the Constitution provides in part that “[o]f the seven justices, each appellate district shall have at least one justice elected or appointed from the district to the supreme court who is a resident of the district at the time of the original appointment or election.” Based on residence at the time of the original appointment, the current Court has justices “representing” each of the five DCAs. Creation of an additional DCA and accompanying changes to the territorial jurisdiction of existing DCAs may raise considerations related this requirement (e.g., there may not be a current justice who, at the time of the original appointment, resided within the applicable counties of the new DCA).¹¹

Consistent with its charges and Rule 2.241(b)(6), the Committee conferred with the District Court of Appeal Budget Commission (DCABC). The DCABC voted to not take a position on the policy of whether to increase, decrease, or redefine appellate districts but noted that creation of an additional DCA would result in significant fiscal impacts. (See DCABC response letter, Appendix H.)

¹⁰ HB 1849, Engrossed 1, section 12, lines 202-204 (2004 Reg. Sess.).

¹¹ The 2004 legislation that proposed the creation of a sixth DCA contained the following provision:

In order to implement the requirements of s. 3(a), Art. V of the State Constitution that each appellate district must have at least one justice appointed who is a resident of the district at the time of appointment, the Governor shall make appointments so as to bring the court into compliance with the State Constitution at the earliest opportunity (House Bill 1849, Engrossed 1, section 14, lines 229-235 (2004 Reg. Sess.)).

In explaining this provision, the staff analysis stated:

The bill makes clear that its terms will not affect any currently seated justice and only when there is a vacancy in the Supreme Court, must it be filled to ensure that at least one justice was appointed to the court from each appellate district as required by Article V, Section 3(a) of the state constitution (House of Representatives Staff Analysis, HB 1849, p. 2 (2004 Reg. Sess.) (March 25, 2004)).

Minority Comments: Maintain Existing District Courts of Appeal

A minority of the Committee members (five members) favor maintaining the existing jurisdictional boundaries of the five DCAs. The members taking this position are comprised of four DCA judges and the public defender. These members state that the data the Committee reviewed, when applied to the five criteria prescribed in Rule 2.241, does not establish a need to change the boundaries of the existing DCAs. Among the arguments offered by these members in favor of maintaining the existing territorial jurisdiction are:

- The ability of the existing DCAs to process cases is not impaired, as reflected in the performance statistics for the courts.
- A court is not presumptively unable to function in a collegial manner based on the number of judges on the court.
- The survey results and public hearing comments do not provide an impetus for changing the boundaries of the existing DCAs, with the survey results, for example, reflecting generally high satisfaction with access to appellate review.
- Population increases do not equate to filings, as indicated by the recent decline in filings, and thus do not provide a basis for creating an additional DCA.
- The need to increase, decrease, or redefine appellate districts can be reviewed regularly and, if warranted, addressed in the future.
- The extent to which judicial circuits are represented among the residency of the existing DCA judges is a factor of gubernatorial appointment rather than the diversity of the applicant pool for judicial vacancies.

The members supporting the minority position of maintaining the current territorial jurisdiction have submitted a comprehensive comment analyzing the criteria in Rule 2.241, which is attached to this report as Appendix I.

Conclusion

Court-activity data, survey results, public comments, and other information reviewed by the Committee demonstrate that Florida's DCAs are currently functioning well in serving the needs of court users. However, based principally on the fifth criterion of Rule 2.241 – public trust and confidence – a majority of the Committee members (nine of 14 ¹²) recommend the creation of at least one additional DCA. These members maintain, in part, that creating an additional DCA by adjusting the boundaries of some existing DCAs will improve court users' access to oral arguments and other public proceedings by reducing the square mileage of some DCAs, will foster public trust and confidence by aligning the DCAs with future growth of the state and making

¹² The chair of the Committee did not vote, which accounts for the vote total of nine to five.

District Court of Appeal Workload and Jurisdiction Assessment Committee

the number of judges on each court more comparable, and will enhance diversity and circuit representation among the applicants for appellate judicial vacancies. A number of members of the Committee also believe that creation of an additional DCA will contribute to enhanced effectiveness, efficiency, access to appellate review, and professionalism, thereby indirectly complementing the other four criteria in Rule 2.241.

Specifically, a plurality of the members (seven members) favor:

- Moving the Fourth Judicial Circuit from the First DCA into the Fifth DCA;
- Moving the Ninth Judicial Circuit from the Fifth DCA into the Second DCA, which would be comprised of the Ninth, Tenth, and Twentieth judicial circuits; and
- Separating the Sixth, Thirteenth, and Twelfth judicial circuits from the Second DCA to create a sixth DCA.

Five members of the Committee, however, favor maintaining the territorial jurisdiction of the existing five DCAs.

Appendices

Appendix A – *In re: District Court of Appeal Workload and Jurisdiction Assessment Committee*, Fla. Admin. Order No. AOSC21-13 (May 6, 2021)

Appendix B – Rule 2.241, Florida Rules of General Practice and Judicial Administration

Appendix C – Meeting summaries for: May 20, June 10, July 15, August 12, August 31, and September 17, 2021

Appendix D – Statistical and Trend Information

Appendix E – Survey Instruments

Appendix F – Summary of Survey Results

Appendix G – District Court of Appeal Jurisdictional Map Scenarios

Appendix H – District Court of Appeal Budget Commission Comment Letter

Appendix I – Minority View Comments

Appendix

A

Supreme Court of Florida

No. AOSC21-13

IN RE: DISTRICT COURT OF APPEAL WORKLOAD AND
JURISDICTION ASSESSMENT COMMITTEE

ADMINISTRATIVE ORDER

In accordance with rule 2.241, Florida Rules of General Practice and Judicial Administration, a District Court of Appeal Workload and Jurisdiction Assessment Committee is hereby appointed to evaluate the necessity for increasing, decreasing, or redefining the appellate districts.

The Assessment Committee is charged with conducting a review in accordance with the criteria and factors outlined in rule 2.241 – including conferring with the chief judges and other representatives of the courts, court budget commissions, The Florida Bar, and the public as provided in subsection (b)(6) of the rule – for consideration by the Court in its annual determination of the necessity for increasing, decreasing, or redefining appellate districts as required by article V, section 9, of the Florida

Constitution. The Assessment Committee is directed to report its recommendations to the chief justice, through the state courts administrator, by September 30, 2021.

The following individuals are appointed to the Assessment Committee for a term to expire on October 1, 2021.

First District:

The Honorable Stephanie Ray
Chief Judge, First District Court of Appeal

The Honorable Elijah Smiley
Circuit Judge, Fourteenth Judicial Circuit

Mr. Michael Orr
Member, Board of Governors, The Florida Bar

Second District:

The Honorable Suzanne Labrit
Judge, Second District Court of Appeal

The Honorable Danielle Brewer
County Court Judge, DeSoto County

The Honorable Brian Haas
State Attorney, Tenth Judicial Circuit

Third District:

The Honorable Ed Scales
Judge, Third District Court of Appeal

The Honorable Bertila Soto
Chief Judge, Eleventh Judicial Circuit

Mr. Raoul G. Cantero, III
Attorney

Fourth District:

The Honorable Dorian K. Damoorgian
Judge, Fourth District Court of Appeal

The Honorable William L. Roby
Circuit Judge, Nineteenth Judicial Circuit

Ms. Rosalyn Sia Baker-Barnes
Member, Board of Governors, The Florida Bar

Fifth District:

The Honorable Meredith L. Sasso
Judge, Fifth District Court of Appeal

The Honorable Andrea K. Totten
County Court Judge, Flagler County

The Honorable Blaise Trettis
Public Defender, Eighteenth Judicial Circuit

Judge Ed Scales shall serve as Chair of the Assessment
Committee. Staff support shall be provided by the Office of the
State Courts Administrator.

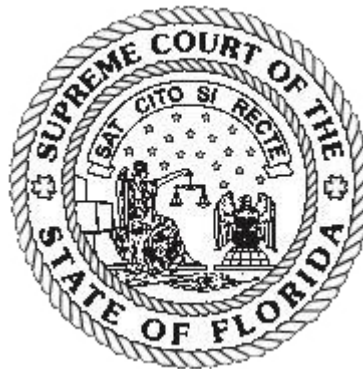
DONE AND ORDERED at Tallahassee, Florida, on May 6,
2021.

Chas. T. Canady
AOSC21-13 05/06/2021

Chief Justice Charles T. Canady
AOSC21-13 05/06/2021

ATTEST:

[Signature]
AOSC21-13 05/06/2021
John Tomasino, Clerk of Court
AOSC21-13 05/06/2021



Appendix

B

RULE 2.241. DETERMINATION OF THE NECESSITY TO INCREASE, DECREASE, OR REDEFINE JUDICIAL CIRCUITS AND APPELLATE DISTRICTS

(a) Purpose. The purpose of this rule is to establish uniform criteria for the supreme court's determination of the necessity for increasing, decreasing, or redefining judicial circuits and appellate districts as required by article V, section 9, of the Florida Constitution. This rule also provides for an assessment committee and a certification process to assist the court in certifying to the legislature its findings and recommendations concerning such need.

(b) Certification Process. A certification process shall be completed in conjunction with the supreme court's annual determination regarding the need for judges under Florida Rule of Judicial Administration 2.240(d) and in accordance with the following:

(1) The supreme court shall certify a necessity to increase, decrease, or redefine judicial circuits and appellate districts when it determines that the judicial process is adversely affected by circumstances that present a compelling need for the certified change.

(2) The supreme court may certify a necessity to increase, decrease, or redefine judicial circuits and appellate districts when it determines that the judicial process would be improved significantly by the certified change.

(3) The state courts administrator will distribute a compilation of summary statistics and projections to each chief judge at a time designated by the chief justice.

(4) Each chief judge shall consider criteria as may apply under rules 2.241(c) and 2.241(d), as well as any other relevant factors, and shall inform the chief justice of any perceived need to increase, decrease, or redefine the state's judicial circuits or appellate districts.

(5) Having been advised in these matters by the chief justice and taking into consideration other relevant factors, the supreme court, finding cause for further inquiry, may appoint an assessment committee to consider the capacity of the courts to effectively fulfill their constitutional and statutory responsibilities as well as

District Court of Appeal Workload and Jurisdiction Assessment Committee

any attendant need to increase, decrease, or redefine appellate districts and judicial circuits.

(6) If an assessment committee is appointed, the committee shall confer with the chief judges and other representatives of appellate districts and judicial circuits, district court of appeal and/or trial court budget commissions, The Florida Bar, and the public for purposes of gathering additional information regarding matters within its charge and shall submit written recommendations to the supreme court.

(7) The supreme court shall consider the assessment committee's recommendations within a timeframe it deems appropriate.

(8) Whether or not an assessment committee is appointed, the supreme court shall balance the potential impact and disruption caused by changes in judicial circuits and appellate districts against the need to address circumstances that limit the quality and efficiency of, and public confidence in, the judicial process. Given the impact and disruption that can arise from any alteration in judicial structure, prior to recommending a change in judicial circuits or appellate districts, the supreme court shall consider less disruptive adjustments including, but not limited to, the addition of judges, the creation of branch locations, geographic or subject-matter divisions within judicial circuits or appellate districts, deployment of new technologies, and increased ratios of support staff per judge.

(c) Criteria for Judicial Circuits. The following criteria shall be considered when determining the necessity for increasing, decreasing, or redefining judicial circuits as required by article V, section 9, of the Florida Constitution:

(1) Effectiveness. Factors to be considered for this criterion include the extent to which each court:

- (A) expedites appropriate cases;
- (B) handles its workload in a manner permitting its judges to prepare written decisions when warranted;
- (C) is capable of accommodating changes in statutes or case law impacting workload or court operations; and
- (D) handles its workload in a manner permitting its judges to serve on committees for the judicial system.

(2) Efficiency. Factors to be considered for this criterion are the extent to which each court:

- (A) stays current with its caseload, as indicated by measurements such as the clearance rate;

District Court of Appeal Workload and Jurisdiction Assessment Committee

(B) adjudicates a high percentage of its cases within the time standards set forth in the Rules of Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases; and

(C) uses its resources, case management techniques, and technologies to improve the efficient adjudication of cases, research of legal issues, and issuance of decisions.

(3) Access to Courts. Factors to be considered for this criterion are the extent to which:

(A) litigants, including self-represented litigants, have meaningful access consistent with due process; and

(B) decisions of a court are available in a timely and efficient manner.

(4) Professionalism. Factors to be considered for this criterion are the extent to which each court:

(A) handles workload issues in a manner permitting its judges adequate time and resources to participate in continuing judicial education and to stay abreast of the law in order to maintain a qualified judiciary;

(B) is capable of recruiting and retaining qualified staff; and

(C) affords staff adequate time to participate in continuing education and specialized training.

(5) Public Trust and Confidence. Factors to be considered for this criterion are the extent to which each court:

(A) handles workload in a manner permitting its judges adequate time for community involvement;

(B) affords access to open court and other public proceedings for the general public;

(C) fosters public trust and confidence given its geography and demographic composition; and

(D) attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all counties within the circuit.

(6) Additional criteria. Such other factors as are regularly considered when making a determination with respect to the need for additional judges under Florida Rule of Judicial Administration 2.240(b)(1) and (c).

(d) Criteria for District Courts. The following criteria shall be considered when determining the necessity for increasing, decreasing, or redefining appellate districts as required by article V, section 9, of the Florida Constitution:

(1) Effectiveness. Factors to be considered for this criterion are the extent to which each court:

- (A) expedites appropriate cases;
- (B) handles workload in a manner permitting its judges to prepare written opinions when warranted;
- (C) functions in a collegial manner;
- (D) handles workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions;
- (E) handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate;
- (F) handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court;
- (G) is capable of accommodating changes in statutes or case law impacting workload or court operations; and
- (H) handles its workload in a manner permitting its judges to serve on committees for the judicial system.

(2) Efficiency. Factors to be considered for this criterion are the extent to which each court:

- (A) stays current with its caseload, as indicated by measurements such as the clearance rate;
- (B) adjudicates a high percentage of its cases within the time standards set forth in the Rules of Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases; and
- (C) uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions.

(3) Access to Appellate Review. Factors to be considered for this criterion are the extent to which:

District Court of Appeal Workload and Jurisdiction Assessment Committee

(A) litigants, including self-represented litigants, have meaningful access to a district court for mandatory and discretionary review of cases, consistent with due process;

(B) litigants are afforded efficient access to the court for the filing of pleadings and for oral argument when appropriate; and

(C) orders and opinions of a court are available in a timely and efficient manner.

(4) Professionalism. Factors to be considered for this criterion are the extent to which each court:

(A) handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary;

(B) is capable of recruiting and retaining qualified staff; and

(C) affords staff adequate time to participate in continuing education and specialized training.

(5) Public Trust and Confidence. Factors to be considered for this criterion are the extent to which each court:

(A) handles its workload in a manner permitting its judges adequate time for community involvement;

(B) provides adequate access to oral arguments and other public proceedings for the general public within its district;

(C) fosters public trust and confidence given its geography and demographic composition; and

(D) attracts diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district.

(e) Results of determination. Only upon the supreme court's finding that a need exists for increasing, decreasing, or redefining appellate districts and judicial circuits, shall the court, acting prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

Committee Notes

District Court of Appeal Workload and Jurisdiction Committee Notes 2006 Adoption. Article V, section 9 of the Florida constitution states that:

The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the *necessity* for

District Court of Appeal Workload and Jurisdiction Assessment Committee

decreasing the number of judges and for increasing, decreasing or redefining appellate districts. If the supreme court finds that a *need* exists for . . . increasing, decreasing or redefining appellate districts . . . , it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

(Emphasis added.) Thus, the constitution uses only “need” when describing the uniform criteria for certifying additional judges, but uses both “necessity” and “need” when describing the uniform criteria for increasing, decreasing, or redefining appellate districts. The supreme court has never determined whether this language compels differing tests for the two certifications. Subdivision (c) of this rule uses the phrase “certify a necessity.” The Committee on District Court of Appeal Workload and Jurisdiction determined that the two standards set forth in that subdivision recognize the supreme court’s obligation to recommend a change to the structure of the district courts when circumstances reach the level of necessity that compels a change, but also recognize the court’s discretion to recommend a change to the structure of the district courts when improvements are needed.

The criteria set forth in this rule are based on studies of the workload, jurisdiction, and performance of the appellate courts, and the work of the Committee on District Court of Appeal Workload and Jurisdiction in 2005. In establishing these criteria, substantial reliance was placed on empirical research conducted by judicial branch committees and on other statistical data concerning cases, caseloads, timeliness of case processing, and manner for disposition of cases, collected by the Office of the State Courts Administrator Office as required by section 25.075, Florida Statutes (2004), and Florida Rule of Judicial Administration 2.030(e)(2).

The workload and jurisdiction committee considered the impact of computer technology on appellate districts. It is clear that, at this time or in the future, technology can be deployed to allow litigants efficient access to a court for filing of pleadings and for participation in oral argument, and that it can expand the general public’s access to the courts. It is possible that technology will substantially alter the appellate review process in the future and that appellate courts may find that technology permits or even requires different districting techniques. This rule was designed to allow these issues to be addressed by the assessment committee and the supreme court without mandating any specific approach.

The five basic criteria in subdivision (d) are not listed in any order of priority. Thus, for example, the workload and jurisdiction committee did not intend efficiency to be a more important criterion than engendering public trust and confidence.

Subdivision (d)(2)(A) recognizes that the court currently provides the legislature with an annual measurement of the appellate courts’ “clearance rate,” which is the ratio between the number of cases that are resolved during a fiscal year and the new cases that are filed during the same period. Thus, a clearance rate of one hundred percent reflects a court that is disposing of pending cases at approximately the same rate that new cases arrive. Given that other measurements may be selected in the future, the rule does not mandate sole reliance on this measurement.

Subdivision (d)(5)(E) recognizes that a district court’s geographic territory may be so large that it limits or discourages applicants for judicial vacancies from

throughout the district and creates the perception that a court's judges do not reflect the makeup of the territory.

Court Commentary

2013 Amendment. The rule has been amended so the supreme court's annual certification process will include an analysis of the need to increase, decrease, or redefine judicial circuits. The requirement for an assessment committee to analyze, once every eight years, the capacity of the district courts to fulfill their duties has been deleted. Instead, the chief judges of the trial and appellate courts will review annual statistics provided by the state courts administrator, along with the criteria set forth in the rule and any other relevant factors, and inform the chief justice of any perceived need. Taking these and other concerns into consideration, the supreme court may appoint an assessment committee to make further inquiry. If an assessment committee is appointed, the supreme court will consider the committee's recommendations and will certify to the legislature its own findings and recommendations concerning such need.

Appendix

C

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

May 20, 2021, VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian
State Attorney Brian Haas
Judge Suzanne Labrit
Attorney Michael Orr
Chief Judge Stephanie Ray
Judge William Roby
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley
Chief Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Others present:

Chief Justice Charles Canady (for
welcome/opening remarks solely)
Lindsay Hafford, OSCA
Andrew Johns, OSCA
State Courts Administrator Elisabeth Kiel
Eric Maclure, OSCA
Jonathan Moody, OSCA
Jay Thomas, OSCA

I. Welcome/Opening Remarks

Judge Scales called the meeting to order and recognized Chief Justice Canady, who thanked the members for serving on the assessment committee and outlined the authority, purpose, and deadline for the committee.

Judge Scales provided opening remarks and recognized staff of the Office of the State Courts Administrator (OSCA) to address operational/logistical issues for the assessment committee.

II. Member Introductions

Members introduced themselves.

III. Background Material Review

Judge Scales and staff addressed background related to a 2006 district court of appeal (DCA) assessment committee and materials included in the packet for this committee meeting.

Eric Maclure reviewed Fla. Admin. Order No. AOSC20-13 (May 6, 2021), which establishes the assessment committee and prescribes its charges. Mr. Maclure also summarized Fla. R. Gen. Prac. & Jud. Admin. 2.241, which prescribes the criteria and factors to be considered when determining the necessity for increasing, decreasing, or redefining appellate districts.

District Court of Appeal Workload and Jurisdiction Assessment Committee

Andrew Johns reviewed statistics included in the report of the 2006 assessment committee, such as weighted dispositions per judge; the prior assessment committee's use of surveys of judges, attorneys, litigants, and the general public, as well as a public hearing; and the committee's final recommendations. Mr. Johns also highlighted a list of important considerations related to the work of this committee and current district court statistical information included in the members' materials packet.

Members discussed a variety of data elements or types of data that may be helpful to their consideration of the rule criteria and factors, such as:

- DCA filings and dispositions by circuit/county;
- DCA filings vs. circuit filings;
- Estimated county court appeals to DCAs;
- Segmentation of criminal cases to distinguish potential complexity of appeals;
- DCA filings broken down into pages of record on appeal;
- DCA manner of disposition;
- DCA percent of cases with oral argument;
- 2006 vs. current data on key statistics (side-by-side comparison);
- National "best practice" standards for comparative workload assessment;
- Population trends/DCA filings per 100,000 population;
- Impact of COVID-19 pandemic on population;
- Pandemic-generated workload estimates and effect of trial court COVID workload on DCA appeals.

Members and staff discussed the availability and reliability of data for FY 2020-21, which includes atypical case activity during the period of the pandemic.

IV. Committee Charge Discussion

Judge Scales noted that staff has been directed to prepare a matrix that identifies key potential data relevant to each of the five criteria prescribed in Fla. R. Gen. Prac. & Jud. Admin. 2.241. Members discussed the five criteria and how each criterion may be evaluated quantitatively, as well as qualitatively based on members' discussion and experience.

A proposed workplan and timeline were reviewed, including a potential public hearing as a component of a July 15, 2021, in-person or hybrid committee meeting.

Judge Scales appointed Mr. Orr, Chief Judge Ray, and Judge Roby to work with staff on development of survey instruments as part of the committee's outreach activities.

V. Next Steps

Staff were directed to send calendar invitations for subsequent meetings of the committee, complete the matrix of data relevant to each of the rule criteria, work with the appointed members on development of survey instruments for consideration by the full committee, and assess the availability and feasibility of producing the data elements or types of data identified by the members.

District Court of Appeal Workload and Jurisdiction Assessment Committee

The following future meeting dates were identified: June 10 (videoconference), July 15 (in-person or hybrid), August 12 (videoconference), and September 17 (videoconference).

There being no further business, the meeting was adjourned.

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

June 10, 2021, VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian
State Attorney Brian Haas
Judge Suzanne Labrit
Attorney Michael Orr
Chief Judge Stephanie Ray
Judge William Roby
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley
Chief Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Others present:

Lindsay Hafford, OSCA
Andrew Johns, OSCA
State Courts Administrator Elisabeth Kiel
Eric Maclure, OSCA
Jonathan Moody, OSCA
Jay Thomas, OSCA

I. Welcome/Opening Remarks

Judge Scales called the meeting to order and outlined agenda items for the meeting.

The Committee approved the May 20, 2021, meeting summary without objection.

II. Additional Statistics Requested by Members

Andrew Johns reviewed the additional statistics that members requested at the May 20, 2021, meeting. Members discussed a variety of additional data elements or types of data that may be helpful to their consideration, such as:

- DCA cases filed and manner of disposition segmented by DCA.
- Causal information on decrease in DCA filings.
- Overlay to assess potential correlation between economic conditions and changes in reported court-activity data for FY 2005-06 versus FY 2019-20.
- Federal court statistics on increasing and decreasing filings, as well as national appellate data.
- Page count for appellate filings through the E-Filing Portal.
- DCA judge residency information.
- Historical information on DCA case weights.
- Measures of case complexity and judicial “touches.”

III. Surveys

Chief Judge Ray provided an overview of the survey instruments drafted by staff with guidance and review by Mr. Orr, Chief Judge Ray, and Judge Roby.

Members discussed:

- Encouraging a high response rate by DCA judges.
- Adding a question on complexity of cases to the judges survey.
- Providing a hyperlink for respondents to access overview information on DCAs.
- Engaging contacts and working with The Florida Bar to ensure thorough distribution among attorneys.
- Handling distribution of surveys to Department of Corrections inmates in a manner similar to how such distribution was made as part of the 2006 assessment committee.

Staff reviewed the timelines for distributing, closing, and compiling information from the surveys.

IV. Evaluation Criteria Matrix

Andrew Johns reviewed a draft evaluation criteria matrix with potential measures for the factors prescribed in R. Gen. Prac. & Jud. Admin. 2.241.

V. July 15th Meeting

Members agreed to hold the July 15, 2021, meeting at the Orange County Courthouse in Orlando with a public hearing via videoconference followed by a business meeting.

VI. Next Steps

Judge Scales asked members to review the additional statistics gathered by staff and the evaluation criteria matrix and provide any suggested revisions or feedback to Andrew Johns.

Future meeting dates: July 15 (Orlando), August 12 (videoconference), and September 17 (videoconference).

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

July 15, 2021, ORLANDO AND VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian (video)
State Attorney Brian Haas (video)
Judge Suzanne Labrit (video)
Attorney Michael Orr (video)
Judge Stephanie Ray
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley (video)
Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Excused absence:

Judge William Roby

Others present:

Paul Flemming, OSCA (video)
Lindsay Hafford, OSCA
Andrew Johns, OSCA
State Courts Administrator Elisabeth Kiel
Eric Maclure, OSCA
Jonathan Moody, OSCA
Jay Thomas, OSCA (video)

I. Welcome/Opening Remarks

Judge Scales called the meeting to order after the conclusion of a public hearing conducted by videoconference.

The Committee approved the June 10, 2021, meeting summary without objection.

II. Public Hearing Debrief, Discussion of Comments

In reaction to the public hearing, members discussed a variety of issues related to the topic of increasing, decreasing, or redefining the appellate districts, such as:

- Application of controlling case law for a new district court of appeal (DCA) and how creation of an additional DCA may affect inter-district conflict in holdings;
- Extent to which the residency of existing judges was addressed as part of the creation of a fifth DCA in 1979;
- Potential impacts to justice system partners due to DCA boundary changes; and
- The concept of “collegiality” among judges on a DCA and whether it is affected by the number of judges.

III. Presentation and Discussion of Survey Results

Andrew Johns provided a status report on the pending surveys of litigants and Department of Corrections inmates, both of which will remain open until later in July.

Mr. Johns reviewed the responses from the surveys of district court of appeal judges, non-appellate judges and attorneys, and the general public.

IV. Presentation of Additional Member-Requested Statistics

Staff reviewed additional data relating to:

- Relative case weights;
- Filings and manner of disposition broken down by DCA;
- DCA filings as a percent of trial court filings for additional fiscal years;
- Average case times;
- Circuit civil dispositions pursuant to settlements;
- Records by page number;
- Filings and dispositions from certain other state intermediate appellate courts and from the U.S. courts of appeal;
- County of residency for Florida DCA judges;
- Residency or practice-area information for sample judicial nominating commission applicant pools; and
- Gender and racial information for Florida DCA judges.

V. General Perceptions Discussion

Judge Scales noted that the statute governing the geographic composition of the judicial circuits (s. 26.021, F.S.) contains the following language: “The judicial nominating commission of each circuit, in submitting nominations for any vacancy in a judgeship, and the Governor, in filling any vacancy for a judgeship, shall consider whether the existing judges within the circuit, together with potential nominees or appointees, reflect the geographic distribution of the population within the circuit, the geographic distribution of the caseload within the circuit, the racial and ethnic diversity of the population within the circuit, and the geographic distribution of the racial and ethnic minority population within the circuit.” He noted that there is no such comparable directory language in the statutes governing the geographic composition of the DCAs and posed whether the committee should recommend application of such language to the DCA judicial nominating commissions.

Members discussed a variety of topics related to increasing, decreasing, or redefining DCA boundaries, based on data and other information presented to date. Some of the discussion addressed the extent to which the boundaries of and appointment history for a DCA may affect the geographic diversity of applications when vacancies arise.

VI. Consideration of Options

Judge Scales asked each member to offer perspectives and initial feedback on potential options for committee recommendations, as a precursor to a more detailed discussion of options at the August 12 meeting.

VII. Next Steps

It was noted during the meeting that staff can develop maps that depict scenarios for creating an additional DCA(s) or solely revising the boundaries of the five existing DCAs. Members were invited to submit to staff any scenarios for potential DCA boundary configurations for discussion at the next meeting.

Future meeting dates: August 12 (videoconference), and September 17 (videoconference).

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

AUGUST 12, 2021, VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian
State Attorney Brian Haas
Judge Suzanne Labrit
Attorney Michael Orr
Judge Stephanie Ray
Judge William Roby
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley
Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Others present:

Lindsay Hafford, OSCA
Andrew Johns, OSCA
Eric Maclure, OSCA
Jonathan Moody, OSCA
Jay Thomas, OSCA

I. Welcome/Opening Remarks

Judge Scales called the meeting to order. He noted the potential need for an additional meeting in August to facilitate completion of the Committee's work.

The Committee approved the July 15, 2021, meeting summary without objection.

II. Presentation and Discussion of Survey Results

Andrew Johns reviewed results of the survey of Department of Corrections inmates, noting that it is not possible to analyze the responses for this survey group in as granular a fashion as the responses from other survey groups. Mr. Johns also reviewed the limited responses from the litigant survey group.

III. Additional Statistical/Research Information

Judge Labrit presented research she compiled on the residency/professional location of applicants and nominees for vacancies on the Second District Court of Appeal between fall 2014 and summer 2020, to supplement comparable information on district court of appeal (DCA) applicant pools presented at the July 15 meeting.

Eric Maclure provided an overview of the actions related to creation of a fifth DCA in 1979, including recommendations of the Commission on Florida Appellate Court Structure appointed by the chief justice

District Court of Appeal Workload and Jurisdiction Assessment Committee

in 1978; the subsequent Supreme Court opinion certifying the need for an additional DCA (370 So. 2d 365 (Fla. 1979)); the legislative enactment establishing a fifth DCA (ch. 79-413, Laws of Fla); and a Supreme Court advisory opinion on the enactment (374 So. 2d 959 (Fla. 1979)). Mr. Maclure noted how the Commission, the Court, and the Legislature addressed issues related to residency of existing judges.

IV. Jurisdictional Map Scenarios

Members discussed maps depicting potential creation of an additional or additional DCAs and maps depicting solely reconfiguration of the boundaries of the existing five DCAs. The maps provided information on population, square miles, case filings and dispositions, and judges by county of residency for each map scenario.

Members eliminated from consideration certain maps not deemed feasible and directed staff to conduct an analysis of the estimated judicial need (based on workload) for each of the remaining scenarios.

Some members recommended reviewing the scenarios in relationship to the criteria prescribed in Rule Gen. Prac. & Jud. Admin. 2.241 for determining the necessity for increasing, decreasing, or redefining appellate districts.

V. Options for Report Recommendations

There were no significant developments on this agenda item pending additional analysis related to potential DCA boundary changes.

VI. Next Steps

An additional meeting was scheduled for August 31 to, among other issues, review workload analysis information for the jurisdictional map scenarios.

Future meeting dates: August 31 (videoconference) and September 17 (videoconference).

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

AUGUST 31, 2021, VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian
State Attorney Brian Haas
Judge Suzanne Labrit
Attorney Michael Orr
Judge Stephanie Ray
Judge William Roby
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley
Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Others present:

Lindsay Hafford, OSCA
Andrew Johns, OSCA
State Courts Administrator Elisabeth Kiel
Eric Maclure, OSCA
Jonathan Moody, OSCA
Jay Thomas, OSCA

I. Welcome/Opening Remarks

Judge Scales called the meeting to order and outlined agenda items for the meeting.

The Committee approved the August 12, 2021, meeting summary without objection.

II. Review Jurisdictional Map Scenarios / Judicial Workload

Judge Scales reminded members that the maps remained unchanged from the versions they discussed at the August 12th meeting, with the exception of the populated “Estimated Judicial Need” column. During the August 12th meeting, members voted to remove some scenarios from further consideration; therefore, estimated judicial need was not computed for those deleted scenarios. Andrew Johns reviewed the methodology for the estimated judicial need calculation and further discussed the scenario maps.

III. Review Rule 2.241 Criteria

Judge Scales reviewed the rule language criteria that will guide the decisions of the Committee.

IV. Options for Report Recommendations

Judge Scales outlined four core options available to members of the Committee: 1) maintain existing DCA territorial jurisdiction; 2) reconfigure existing DCAs; 3) create a Sixth DCA; or 4) create a Sixth DCA and a Seventh DCA.

Members discussed the map scenarios depicting potential creation of an additional DCA or additional DCAs and maps depicting solely reconfiguration of the boundaries of the existing five DCAs. As a result of the evaluative work of the Committee and the discussion, a majority of members (nine) recommended increasing the appellate districts by at least one DCA. The primary rationale for the recommendation is that creation of an additional DCA would better promote public trust and confidence.

The preferred scenario (supported by seven members) accomplished the following:

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth Judicial Circuit moves from the Fifth DCA into the Second DCA, comprised of the Ninth, Tenth, and Twentieth judicial circuits; and
- The Sixth, Thirteenth, and Twelfth judicial circuits move from the Second DCA to comprise a sixth DCA.

A minority of the Committee members (five) favor maintaining the existing jurisdictional boundaries of the five DCAs. These members state that the data the Committee reviewed, when applied to the five criteria prescribed in Rule 2.241, does not establish a need to change the boundaries of the existing DCAs.

There was support among four members for an alternative scenario also creating a sixth DCA and support among four members for a scenario creating a sixth DCA and a seventh DCA.

V. Next Steps

Judge Scales reviewed the next steps with members that included the review of a proposed timeline to help guide the actions of the Committee and ensure a completed report by the deadline.

Future meeting date: September 17 (videoconference).

MEETING SUMMARY

DISTRICT COURT OF APPEAL WORKLOAD AND JURISDICTION ASSESSMENT COMMITTEE

SEPTEMBER 17, 2021, VIA VIDEOCONFERENCE

Members present:

Attorney Rosalyn Sia Baker-Barnes
Judge Danielle Brewer
Attorney Raoul Cantero
Judge Dorian Damoorgian
State Attorney Brian Haas
Judge Suzanne Labrit
Attorney Michael Orr
Judge Stephanie Ray
Judge William Roby
Judge Meredith Sasso
Judge Ed Scales, Chair
Judge Elijah Smiley
Judge Bertila Soto
Judge Andrea Totten
Public Defender Blaise Trettis

Others present:

Lindsay Hafford, OSCA
Andrew Johns, OSCA
State Courts Administrator Elisabeth Kiel
Eric Maclure, OSCA
Jonathan Moody, OSCA
State Courts Administrator-designate
Ali Sackett
Jay Thomas, OSCA

I. Welcome/Opening Remarks

Judge Scales called the meeting to order and outlined agenda items for the meeting.

The Committee approved the August 31, 2021, meeting summary without objection.

II. Review and Discuss Final Report Draft

Judge Scales discussed the final report draft with members. He indicated that the 2006 DCA Assessment Committee report was used as a basic model for the construction of this report. Andrew Johns stepped through the sections of the report and provided a general summary of the content. Eric Maclure discussed that, in working on the draft report after the August 31 meeting, staff revised scenario map colors and the numbering convention assigned to the DCA scenarios. Members requested that all maps reflect the district court numbering convention approved at the August 31 meeting. There were several decision points in the draft flagged for specific member input. Members agreed to recommend that no existing DCA judge's position be decertified while that judge is in office and no existing DCA judge have to relocate in order to remain in office. Members noted that a provision should be added to the report to identify the potential impact of section 3 of article V in the State Constitution regarding supreme court justices and appellate district residential requirements at the time of original appointment or election. Members agreed to include the minority view as an appendix to the full report. Members discussed other aspects of the report and offered comments.

III. Timeline Review

Judge Scales discussed the final report timeline with members. He requested that edits and comments be provided to staff by September 22. Following receipt of those edits a determination will be made on the necessity for an additional meeting. Judge Scales indicated that an updated copy of the report, reflecting track changes, would be provided to members the last week of September for final review and email vote.

Appendix

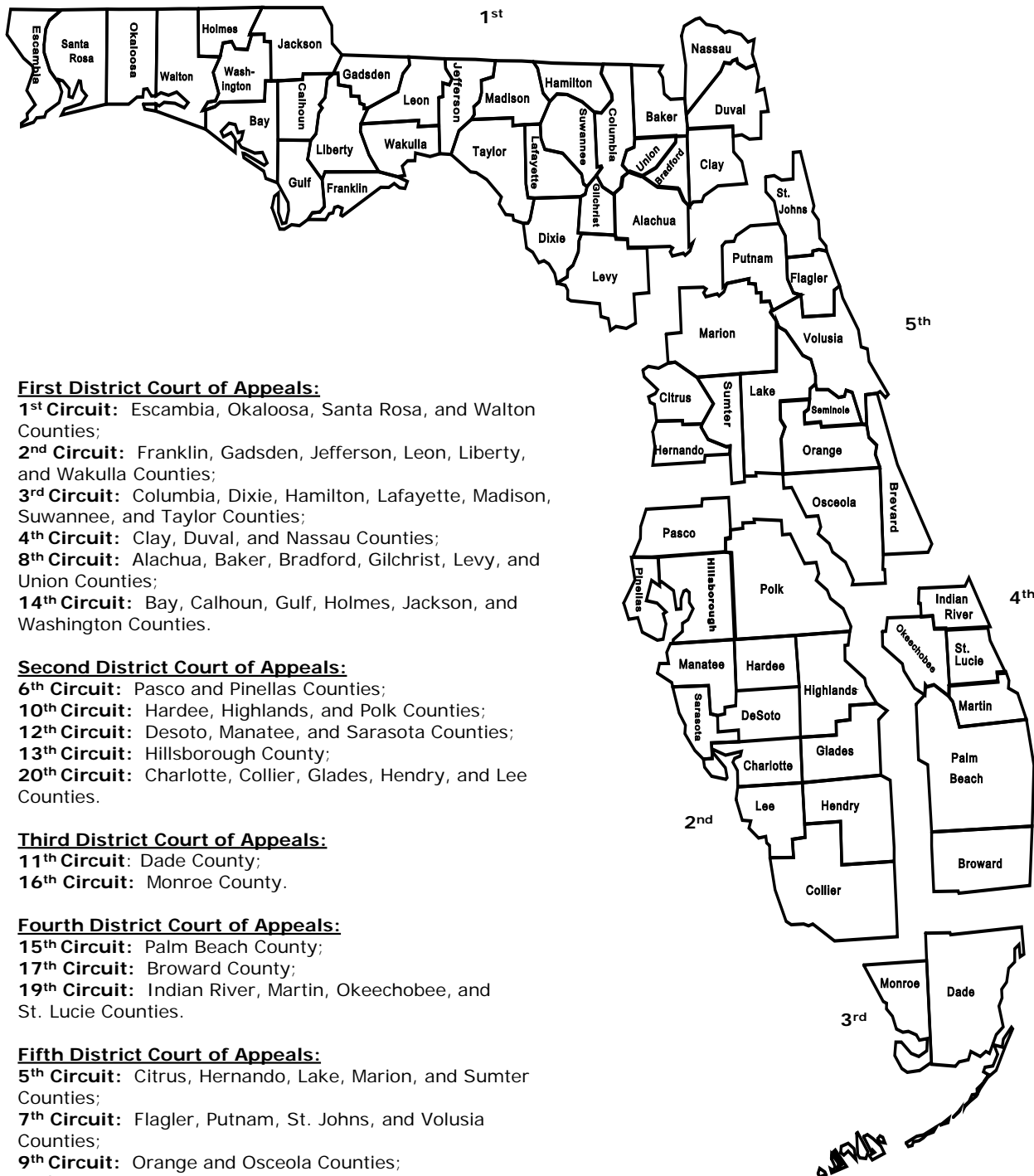
D

District Court of Appeal Workload and Jurisdiction Assessment Committee

Background

District Court of Appeal Workload and Jurisdiction Assessment Committee

Appellate Court System Description



First District Court of Appeals:

1st Circuit: Escambia, Okaloosa, Santa Rosa, and Walton Counties;

2nd Circuit: Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla Counties;

3rd Circuit: Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor Counties;

4th Circuit: Clay, Duval, and Nassau Counties;

8th Circuit: Alachua, Baker, Bradford, Gilchrist, Levy, and Union Counties;

14th Circuit: Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties.

Second District Court of Appeals:

6th Circuit: Pasco and Pinellas Counties;

10th Circuit: Hardee, Highlands, and Polk Counties;

12th Circuit: Desoto, Manatee, and Sarasota Counties;

13th Circuit: Hillsborough County;

20th Circuit: Charlotte, Collier, Glades, Hendry, and Lee Counties.

Third District Court of Appeals:

11th Circuit: Dade County;

16th Circuit: Monroe County.

Fourth District Court of Appeals:

15th Circuit: Palm Beach County;

17th Circuit: Broward County;

19th Circuit: Indian River, Martin, Okeechobee, and St. Lucie Counties.

Fifth District Court of Appeals:

5th Circuit: Citrus, Hernando, Lake, Marion, and Sumter Counties;

7th Circuit: Flagler, Putnam, St. Johns, and Volusia Counties;

9th Circuit: Orange and Osceola Counties;

18th Circuit: Brevard and Seminole Counties.

District Court of Appeal Workload and Jurisdiction Assessment Committee

District Courts of Appeal

Requested Judges

Fiscal Year 2021-22

| | | FY 2021-22 Certification ¹ | | | FY 2020-21 Certification ² | | |
|--------------|---------------|---|-----------------|------------------|---|-----------------|------------------|
| District | Actual Judges | Three-Year Average Weighted Judicial Workload Per Judge | Eligible Judges | Requested Judges | Three-Year Average Weighted Judicial Workload Per Judge | Eligible Judges | Requested Judges |
| First | 15 | 239 | 0 | 0 | 254 | 0 | 0 |
| Second | 16 | 249 | 0 | 0 | 265 | 0 | 0 |
| Third | 10 | 222 | 0 | 0 | 234 | 0 | 0 |
| Fourth | 12 | 266 | 0 | 0 | 300 | 0 | 0 |
| Fifth | 11 | 273 | 0 | 0 | 290 | 0 | 0 |
| Total | 64 | 250 | 0 | 0 | 269 | 0 | 0 |

¹ Averaged weighted judicial workload per judge shows the average workload over a three-year period. Eligible judges are based on the presumptive need of 315 averaged weighted judicial workload per judge after application of the additional judgeship(s).

² The information provided in these columns was used during the fiscal year 2020-21 certification process.

District Court of Appeal Workload and Jurisdiction Assessment Committee

JUDICIAL CERTIFICATION CHART
Judges - District Courts of Appeal
2000 Legislative Session through 2006 Legislative Session

| District | Activity | Legislative Session | | | | | | |
|--------------|-------------------|---------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| | | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
| 1 | Incumbents | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| 2 | Incumbents | 14 | 14 | 14 | 14 | 14 | 14 | 14 |
| | Requested | 0 | 0 | 1 | 2 | 2 | 1 | 1 |
| | Certified | 0 | 0 | 1 | 1 | 2 | 1 | 1 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 14 | 14 | 14 | 14 | 14 | 14 | 14 |
| 3 | Incumbents | 11 | 11 | 11 | 11 | 11 | 11 | 11 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 11 | 11 | 11 | 11 | 11 | 11 | 11 |
| 4 | Incumbents | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| | Requested | 0 | 0 | 1 | 1 | 1 | 0 | 1 |
| | Certified | 0 | 0 | 1 | 0 | 1 | 0 | 1 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| 5 | Incumbents | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| | Requested | 0 | 0 | 0 | 0 | 1 | 1 | 0 |
| | Certified | 0 | 0 | 0 | 1 | 1 | 1 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Total | Incumbents | 62 | 62 | 62 | 62 | 62 | 62 | 62 |
| | Requested | 0 | 0 | 2 | 3 | 4 | 2 | 2 |
| | Certified | 0 | 0 | 2 | 2 | 4 | 2 | 2 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Total | 62 | 62 | 62 | 62 | 62 | 62 | 62 |

NA = Not Applicable

District Court of Appeal Workload and Jurisdiction Assessment Committee

JUDICIAL CERTIFICATION CHART
Judges - District Courts of Appeal
2007 Legislative Session through 2013 Legislative Session

| District | Activity | Legislative Session | | | | | | |
|----------|------------|---------------------|----------|------|------|------|------|------|
| | | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| 1 | Incumbents | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| 2 | Incumbents | 14 | 14 | 14 | 14 | 14 | 14 | 14 |
| | Requested | 1 | 0 | 0 | 1 | 0 | 2 | 2 |
| | Certified | 1 | 0 | 0 | 0 | 0 | 1 | 1 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 14 | 14 | 14 | 14 | 14 | 14 | 14 |
| 3 | Incumbents | 11 | 11 | 10 | 10 | 10 | 10 | 10 |
| | Requested | 0 | -1 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | -1 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | -1 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | 1/1/2009 | NA | NA | NA | NA | NA |
| | Total | 11 | 10 | 10 | 10 | 10 | 10 | 10 |
| 4 | Incumbents | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| | Requested | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| 5 | Incumbents | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Total | Incumbents | 62 | 62 | 61 | 61 | 61 | 61 | 61 |
| | Requested | 2 | -1 | 0 | 1 | 0 | 2 | 2 |
| | Certified | 2 | -1 | 0 | 0 | 0 | 1 | 1 |
| | Authorized | 0 | -1 | 0 | 0 | 0 | 0 | 0 |
| | Total | 62 | 61 | 61 | 61 | 61 | 61 | 61 |

NA = Not Applicable

District Court of Appeal Workload and Jurisdiction Assessment Committee

JUDICIAL CERTIFICATION CHART

Judges - District Courts of Appeal

2014 Legislative Session through 2020 Legislative Session

| District | Activity | Legislative Session | | | | | | |
|----------|------------|---------------------|------|------|------|------|------|------|
| | | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
| 1 | Incumbents | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| 2 | Incumbents | 14 | 16 | 16 | 16 | 16 | 16 | 16 |
| | Requested | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | 7/1/2014 | NA | NA | NA | NA | NA | NA |
| | Total | 16 | 16 | 16 | 16 | 16 | 16 | 16 |
| 3 | Incumbents | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| 4 | Incumbents | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| | Requested | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | NA | NA | NA | NA | NA | NA | NA |
| | Total | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| 5 | Incumbents | 10 | 11 | 11 | 11 | 11 | 11 | 11 |
| | Requested | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Effective | 7/1/2014 | NA | NA | NA | NA | NA | NA |
| | Total | 11 | 11 | 11 | 11 | 11 | 11 | 11 |
| Total | Incumbents | 61 | 64 | 64 | 64 | 64 | 64 | 64 |
| | Requested | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Certified | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Authorized | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Total | 64 | 64 | 64 | 64 | 64 | 64 | 64 |

NA = Not Applicable

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Relative Case Weights by Case Type Group and Year

| Case Type Group | 2005 Relative Case Weight | 2009¹ Relative Case Weight | 2015 Relative Case Weight |
|---|--|--|--|
| Petitions – Certiorari (includes administrative, civil, criminal, family, guardianship, juvenile, probate, workers’ compensation) | 115 | 115 | 133 |
| Petitions – All Other Petitions | 66 | 66 | 99 |
| NOA – Administrative Other | 152 | 152 | 122 |
| NOA – Administrative (unemployment compensation) | 51 | 51 | 60 |
| NOA – (Civil) Prisoner Litigation | 67 | 67 | 67 |
| NOA – Civil Final (includes foreclosure, adoption, child, probate, guardianship, other) | 204 | 204 | 177 |
| NOA – Civil Non Final (includes foreclosure, adoption, child, probate, guardianship, other) | 140 | 140 | 134 |
| NOA – Criminal Judgment and Sentence | 100 | 100 | 100 |
| NOA – Criminal Postconviction Summary (includes 3.800, 3.801, 3.850, 3.853) | 55 | 55 | 64 |
| NOA – Postconviction Non Summary (includes 3.800, 3.801, 3.850, 3.853) | 70 | 70 | 84 |
| NOA – Criminal State Appeals | 105 | 105 | 105 |
| NOA – Workers Compensation | 190 | 190 | 118 |
| NOA – Juvenile ² | 99 | 99 | 109 |
| NOA – Juvenile (TPR) ² | 128 | 128 | 109 |
| NOA – Criminal Habeus Corpus and Other | 66 | 66 | 70 |
| NOA – Criminal Anders | 45 | 45 | 55 |

¹The 2009 Review of Relative Case Weights for the Determination of Need for Additional Judges Report recommended no changes to the case weights assigned in 2005; however, modifiers were recommended for administrative appeals in the First District due to the number and complexity of cases filed in that district, and for petitions and summary post-conviction relief matters in the Third District due to lack of central staff. The Supreme Court only approved the modifier for the First DCA and it was subsequently removed in the 2015 review.

² The case type “NOA – Juvenile (TPR) was combined with NOA-Juvenile during the 2015 Review of Relative Case Weights for the District Court of Appeal Judges.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee - Evaluation Criteria Matrix

| Criteria | Factors in Rule | Measures ¹ |
|---------------|--|---|
| Effectiveness | a) expedites appropriate cases; | <ul style="list-style-type: none"> • clearance rate • number of pending cases • number of dispositions • percent of cases disposed within 180 days of OA or conference • median number of days from filing to disposition • survey question |
| | b) handles workload in a manner permitting its judges to prepare written opinions when warranted; | <ul style="list-style-type: none"> • manner of disposition (opinion, PCA, order) • weighted judicial workload per judge • survey question |
| | c) functions in a collegial manner; | <ul style="list-style-type: none"> • percent of cases disposed within 180 days of OA or conference • median number of days from OA or conference to disposition • survey question |
| | d) handles workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions; | <ul style="list-style-type: none"> • manner of disposition (opinion, PCA, order) • survey question |
| | e) handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate; | <ul style="list-style-type: none"> • survey question |
| | f) handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court; | <ul style="list-style-type: none"> • weighted judicial workload per judge • survey question |
| | g) is capable of accommodating changes in statutes or case law impacting workload or court operations; and | <ul style="list-style-type: none"> • number of judicial support personnel per judge • survey question |
| | h) handles its workload in a manner permitting its judges to serve on committees for the judicial system. | <ul style="list-style-type: none"> • weighted judicial workload per judge • number of judicial support personnel per judge • survey question |

¹ Quantitative measures may be complemented with qualitative considerations based on members' discussion and experience.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| Criteria | Factors in Rule | Measures ¹ |
|----------------------------|--|---|
| Efficiency | a) stays current with its caseload, as indicated by measurements such as the clearance rate; | <ul style="list-style-type: none"> • clearance rate • total filings • filings per judge • number of pending cases • number of dispositions • weighted judicial workload per judge • percent of cases disposed within 180 days of OA or conference • survey question |
| | b) adjudicates a high percentage of its cases within the time standards set forth in the Rules of Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases; and | <ul style="list-style-type: none"> • median number of days from filing to disposition • percent of cases disposed within 180 days of OA or conference • median number of days from OA or conference to disposition • median number of days from perfection to OA or conference • survey question |
| | c) uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions. | <ul style="list-style-type: none"> • number of pending cases • weighted judicial workload per judge • median number of days from filing to disposition • percent of cases disposed within 180 days of OA or conference • survey question |
| Access to Appellate Review | a) litigants, including self-represented litigants, have meaningful access to a district court for mandatory and discretionary review of cases, consistent with due process; | <ul style="list-style-type: none"> • percent of pro se filings to total filings • survey question |
| | b) litigants are afforded efficient access to the court for the filing of pleadings and for oral argument when appropriate; and | <ul style="list-style-type: none"> • number of pro se filers • number of OAs held • percent of OAs to non-OAs • survey question |
| | c) orders and opinions of a court are available in a timely and efficient manner. | <ul style="list-style-type: none"> • number of records maintained • survey question |
| Professionalism | a) handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary; | <ul style="list-style-type: none"> • CJE hours earned by appellate judges (limitations) • survey question |
| | b) is capable of recruiting and retaining qualified staff; and | <ul style="list-style-type: none"> • staff attorney turnover rate • survey question |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| Criteria | Factors in Rule | Measures ¹ |
|-----------------------------|--|--|
| | c) affords staff adequate time to participate in continuing education and specialized training. | <ul style="list-style-type: none"> • number of judicial support personnel per judge • survey question |
| Public Trust and Confidence | a) handles its workload in a manner permitting its judges adequate time for community involvement; | <ul style="list-style-type: none"> • survey question |
| | b) provides adequate access to oral arguments and other public proceedings for the general public within its district; | <ul style="list-style-type: none"> • percent of OAs to non-OAs • number of OAs held remotely • number of OAs held |
| | c) fosters public trust and confidence given its geography and demographic composition; and | <ul style="list-style-type: none"> • gender and ethnicity of the DCA judges • survey question |
| | d) attracts diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. | <ul style="list-style-type: none"> • geographic distribution of DCA judge applicants (JNC, if available) • survey question |

Case-Activity Data

District Court of Appeal Workload and Jurisdiction Assessment Committee

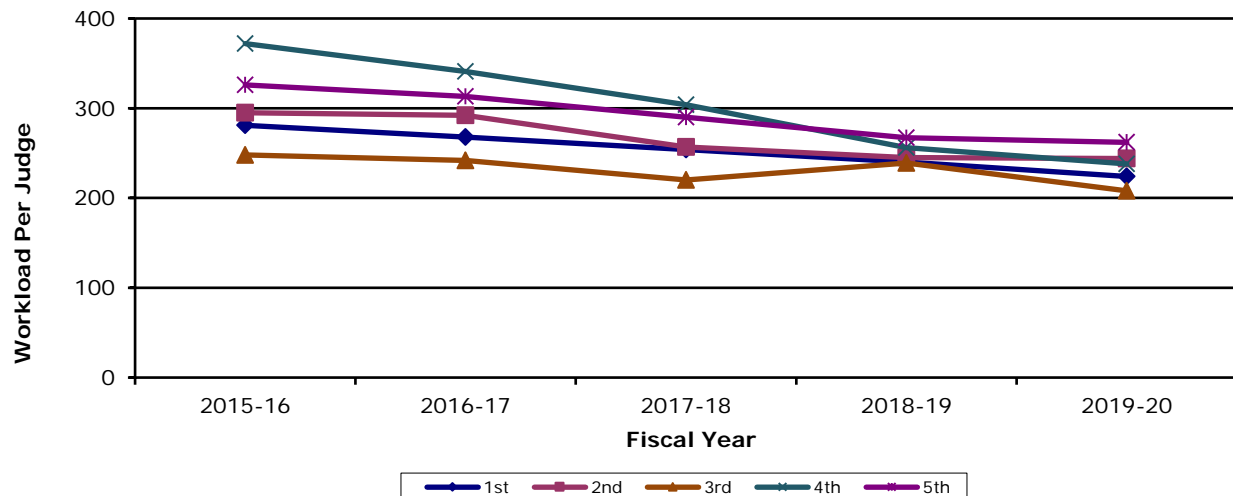
Workload Criteria

DISTRICT COURTS OF APPEAL Weighted Judicial Workload Per Judge and Percent Change Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Three Year Average Weighted Judicial Workload Per Judge (2017-18 to 2019-20) | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|----------|---------|---------|---------|---------|---------|---|--|--|
| First | 281 | 268 | 254 | 240 | 224 | 239 | -11.8% | -20.3% |
| Second | 295 | 292 | 257 | 245 | 244 | 249 | -5.1% | -17.3% |
| Third | 248 | 242 | 220 | 239 | 208 | 222 | -5.5% | -16.1% |
| Fourth | 372 | 341 | 304 | 256 | 238 | 266 | -21.7% | -36.0% |
| Fifth | 326 | 313 | 290 | 267 | 262 | 273 | -9.7% | -19.6% |

Note: Weighted judicial workload for FY 2015-16 to 2019-20 is based on the number of cases disposed on the merits and the relative disposition case weights developed in 2015.

DISTRICT COURTS OF APPEAL Weighted Judicial Workload Per Judge Fiscal Year 2015-16 to 2019-20



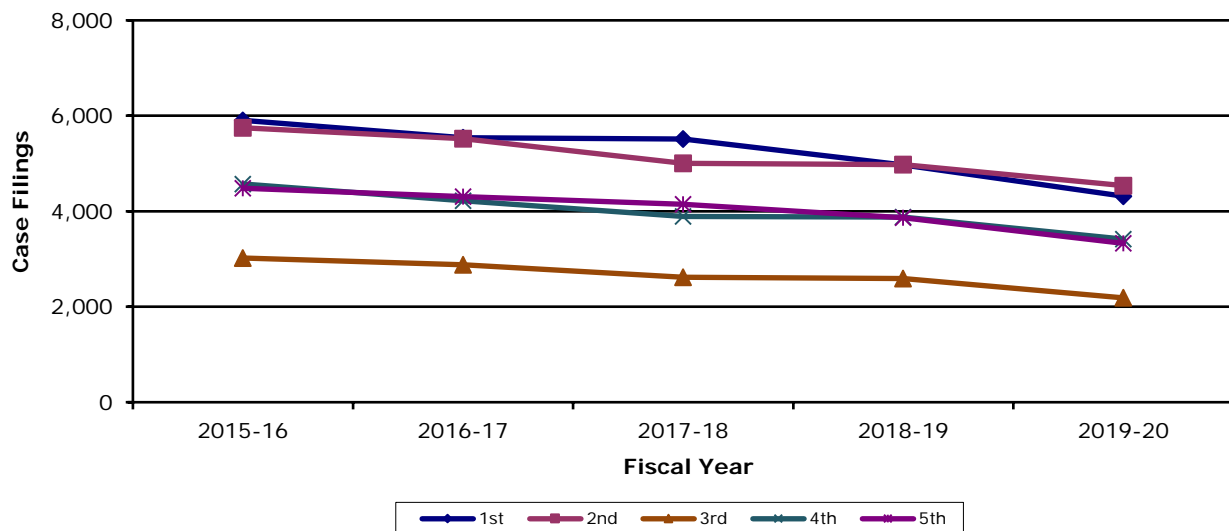
District Court of Appeal Workload and Jurisdiction Assessment Committee

Caseload Criteria

DISTRICT COURTS OF APPEAL Total Case Filings and Percent Change Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|----------|---------|---------|---------|---------|---------|--|--|
| First | 5,905 | 5,544 | 5,516 | 4,974 | 4,316 | -21.8% | -26.9% |
| Second | 5,749 | 5,522 | 5,005 | 4,980 | 4,538 | -9.3% | -21.1% |
| Third | 3,021 | 2,880 | 2,621 | 2,590 | 2,186 | -16.6% | -27.6% |
| Fourth | 4,572 | 4,222 | 3,890 | 3,879 | 3,417 | -12.2% | -25.3% |
| Fifth | 4,483 | 4,306 | 4,146 | 3,863 | 3,328 | -19.7% | -25.8% |
| Total | 23,730 | 22,474 | 21,178 | 20,286 | 17,785 | -16.0% | -25.1% |

DISTRICT COURTS OF APPEAL Total Case Filings Fiscal Year 2015-16 to 2019-20



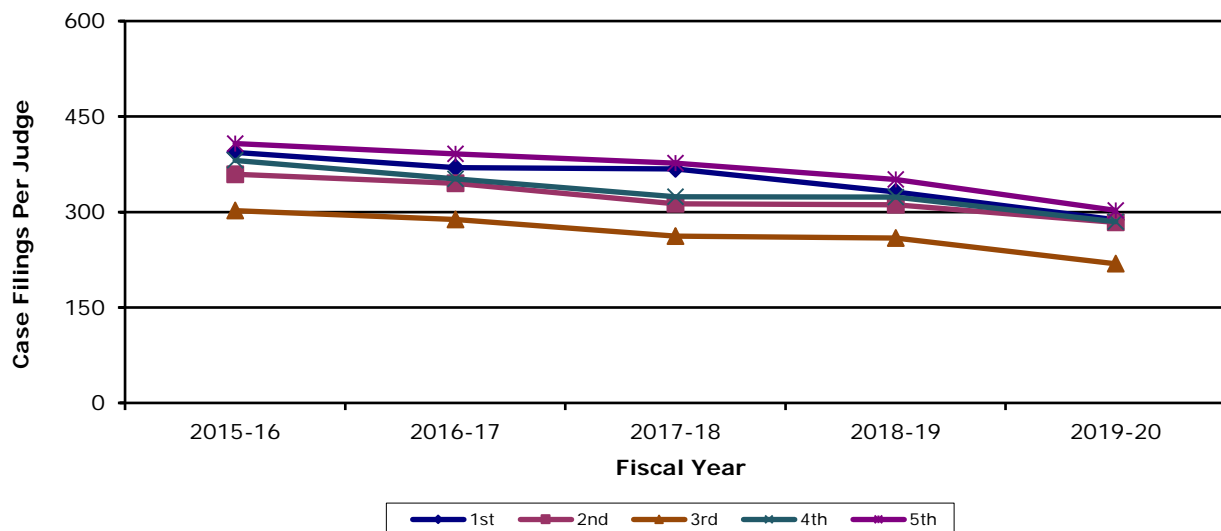
Florida Office of the State Courts Administrator

Caseload Criteria

DISTRICT COURTS OF APPEAL
Total Case Filings Per Judge and Percent Change
Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------|--------------|--------------|--------------|--------------|--------------|--|--|
| First | 393.7 | 369.6 | 367.7 | 331.6 | 287.7 | -21.8% | -26.9% |
| Second | 359.3 | 345.1 | 312.8 | 311.3 | 283.6 | -9.3% | -21.1% |
| Third | 302.1 | 288.0 | 262.1 | 259.0 | 218.6 | -16.6% | -27.6% |
| Fourth | 381.0 | 351.8 | 324.2 | 323.3 | 284.8 | -12.2% | -25.3% |
| Fifth | 407.5 | 391.5 | 376.9 | 351.2 | 302.5 | -19.7% | -25.8% |
| Total | 370.8 | 351.2 | 330.9 | 317.0 | 277.9 | -16.0% | -25.1% |

DISTRICT COURTS OF APPEAL
Case Filings Per Judge
Fiscal Year 2015-16 to 2019-20



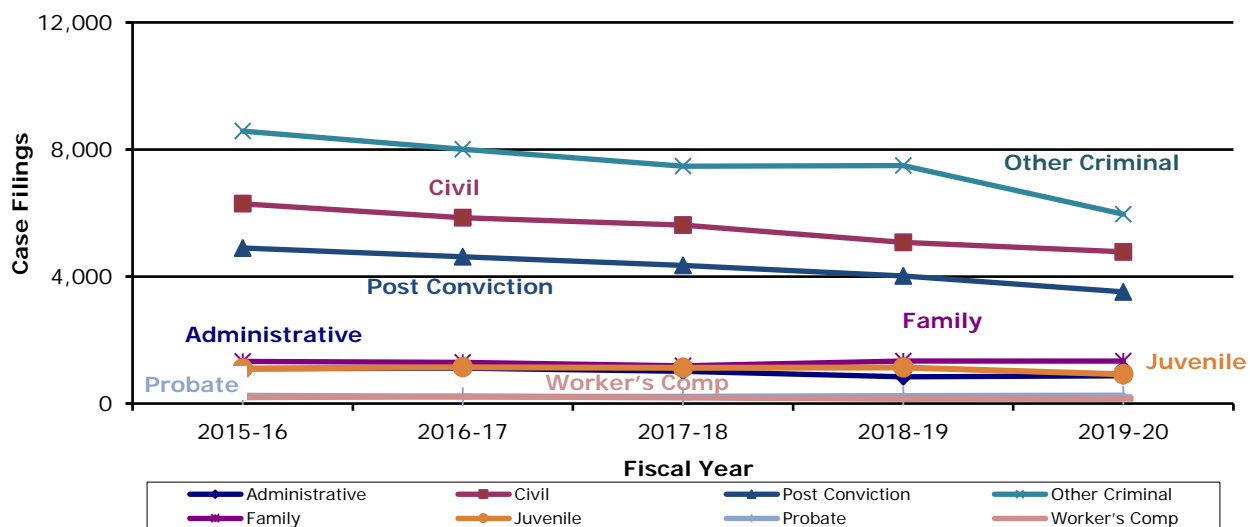
District Court of Appeal Workload and Jurisdiction Assessment Committee

Caseload Criteria

DISTRICT COURTS OF APPEAL Case Filings and Percent Change Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|---------------|---------------|---------------|---------------|---------------|--|--|
| Administrative | 1,090 | 1,115 | 1,017 | 842 | 874 | -14.1% | -19.8% |
| Civil | 6,289 | 5,851 | 5,621 | 5,078 | 4,777 | -15.0% | -24.0% |
| Criminal Post Conviction | 4,898 | 4,624 | 4,351 | 4,021 | 3,517 | -19.2% | -28.2% |
| Other Criminal | 8,578 | 8,002 | 7,471 | 7,489 | 5,962 | -20.2% | -30.5% |
| Family | 1,327 | 1,298 | 1,188 | 1,339 | 1,335 | 12.4% | 0.6% |
| Juvenile | 1,106 | 1,141 | 1,128 | 1,134 | 920 | -18.4% | -16.8% |
| Probate/Guardianship | 246 | 220 | 217 | 235 | 254 | 17.1% | 3.3% |
| Worker's Compensation | 196 | 223 | 185 | 148 | 146 | -21.1% | -25.5% |
| Total | 23,730 | 22,474 | 21,178 | 20,286 | 17,785 | -16.0% | -25.1% |

DISTRICT COURTS OF APPEAL Case Filings and Case Category Fiscal Year 2015-16 to 2019-20



Florida Office of the State Courts Administrator

Caseload Criteria

FIRST DISTRICT COURT OF APPEAL

Case Filings and Percent Change

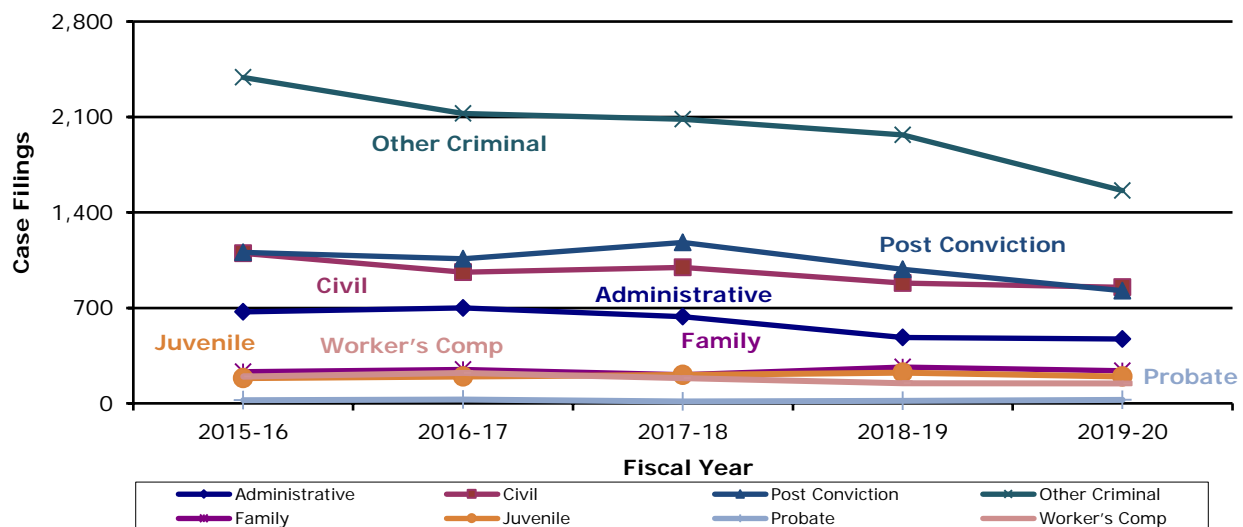
Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--|--|
| Administrative | 671 | 700 | 636 | 483 | 472 | -25.8% | -29.7% |
| Civil | 1,100 | 962 | 998 | 883 | 851 | -14.7% | -22.6% |
| Criminal Post Conviction | 1,108 | 1,060 | 1,180 | 982 | 826 | -30.0% | -25.5% |
| Other Criminal | 2,390 | 2,125 | 2,084 | 1,969 | 1,560 | -25.1% | -34.7% |
| Family | 232 | 249 | 210 | 266 | 239 | 13.8% | 3.0% |
| Juvenile | 185 | 197 | 209 | 225 | 197 | -5.7% | 6.5% |
| Probate/Guardianship | 23 | 28 | 14 | 18 | 25 | 78.6% | 8.7% |
| Worker's Compensation | 196 | 223 | 185 | 148 | 146 | -21.1% | -25.5% |
| Total | 5,905 | 5,544 | 5,516 | 4,974 | 4,316 | -21.8% | -26.9% |

FIRST DISTRICT COURT OF APPEAL

Case Filings and Case Category

Fiscal Year 2015-16 to 2019-20



District Court of Appeal Workload and Jurisdiction Assessment Committee

Caseload Criteria

SECOND DISTRICT COURT OF APPEAL

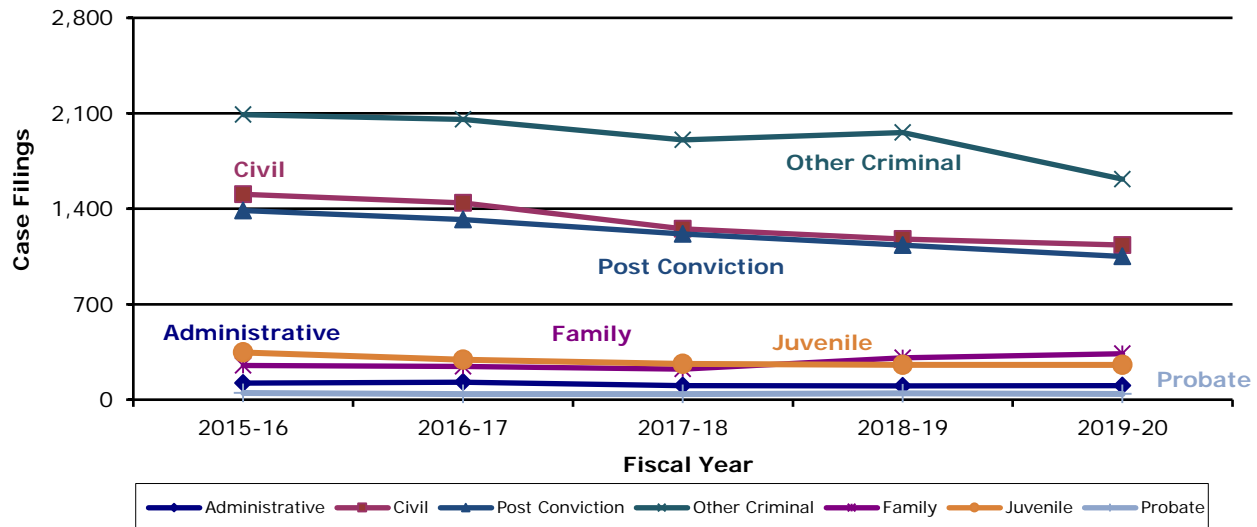
Case Filings and Percent Change

Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--|--|
| Administrative | 121 | 128 | 104 | 101 | 103 | -1.0% | -14.9% |
| Civil | 1,506 | 1,443 | 1,253 | 1,177 | 1,134 | -9.5% | -24.7% |
| Criminal Post Conviction | 1,387 | 1,320 | 1,214 | 1,132 | 1,050 | -13.5% | -24.3% |
| Other Criminal | 2,090 | 2,055 | 1,906 | 1,959 | 1,617 | -15.2% | -22.6% |
| Family | 250 | 243 | 224 | 308 | 337 | 50.4% | 34.8% |
| Juvenile | 346 | 292 | 263 | 256 | 255 | -3.0% | -26.3% |
| Probate/Guardianship | 49 | 41 | 41 | 47 | 42 | 2.4% | -14.3% |
| Total | 5,749 | 5,522 | 5,005 | 4,980 | 4,538 | -9.3% | -21.1% |

SECOND DISTRICT COURT OF APPEAL

Case Filings and Case Category



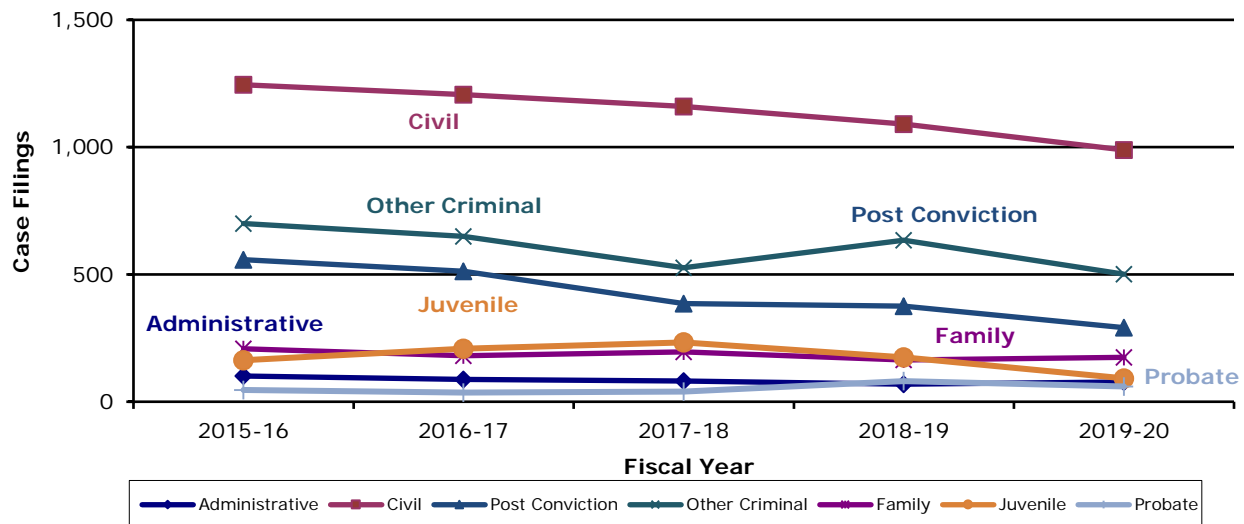
THIRD DISTRICT COURT OF APPEAL**Case Filings and Percent Change**

Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--|--|
| Administrative | 101 | 88 | 81 | 69 | 78 | -3.7% | -22.8% |
| Civil | 1,245 | 1,206 | 1,160 | 1,091 | 989 | -14.7% | -20.6% |
| Criminal Post Conviction | 558 | 512 | 385 | 376 | 291 | -24.4% | -47.8% |
| Other Criminal | 700 | 649 | 526 | 634 | 501 | -4.8% | -28.4% |
| Family | 208 | 181 | 196 | 164 | 175 | -10.7% | -15.9% |
| Juvenile | 163 | 208 | 233 | 175 | 92 | -60.5% | -43.6% |
| Probate/Guardianship | 46 | 36 | 40 | 81 | 60 | 50.0% | 30.4% |
| Total | 3,021 | 2,880 | 2,621 | 2,590 | 2,186 | -16.6% | -27.6% |

THIRD DISTRICT COURT OF APPEAL**Case Filings and Case Category**

Fiscal Year 2015-16 to 2019-20



Caseload Criteria

FOURTH DISTRICT COURT OF APPEAL

Case Filings and Percent Change

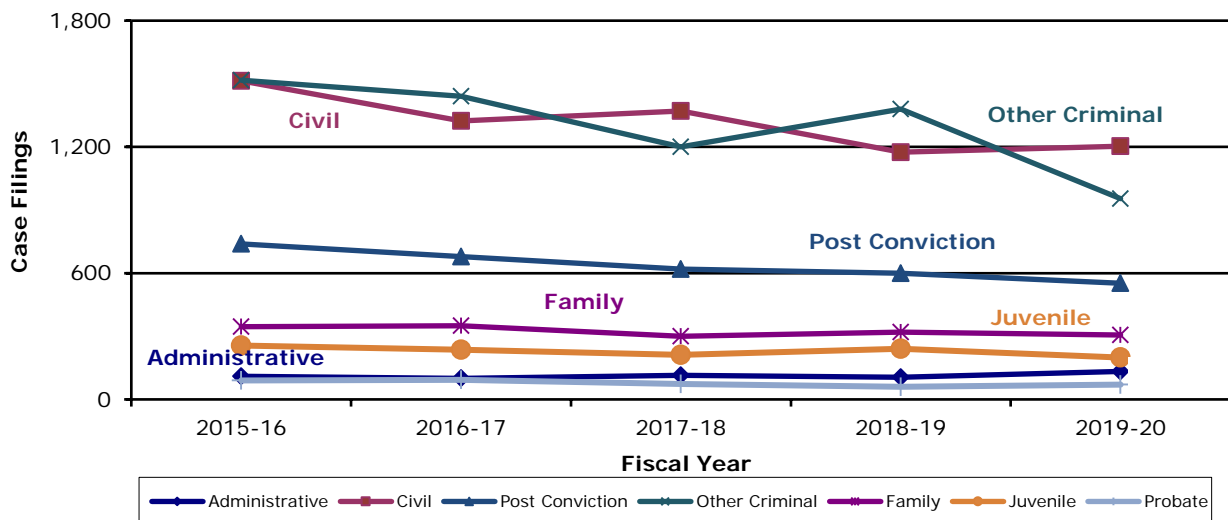
Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--|--|
| Administrative | 110 | 100 | 115 | 105 | 133 | 15.7% | 20.9% |
| Civil | 1,514 | 1,324 | 1,370 | 1,175 | 1,203 | -12.2% | -20.5% |
| Criminal Post Conviction | 739 | 679 | 619 | 599 | 552 | -10.8% | -25.3% |
| Other Criminal | 1,517 | 1,440 | 1,200 | 1,380 | 954 | -20.5% | -37.1% |
| Family | 346 | 350 | 300 | 319 | 306 | 2.0% | -11.6% |
| Juvenile | 256 | 236 | 212 | 241 | 199 | -6.1% | -22.3% |
| Probate/Guardianship | 90 | 93 | 74 | 60 | 70 | -5.4% | -22.2% |
| Total | 4,572 | 4,222 | 3,890 | 3,879 | 3,417 | - 12.16% | - 25.26% |

FOURTH DISTRICT COURT OF APPEAL

Case Filings and Case Category

Fiscal Year 2015-16 to 2019-20



Florida Office of the State Courts Administrator

Caseload Criteria

FIFTH DISTRICT COURT OF APPEAL

Case Filings and Percent Change

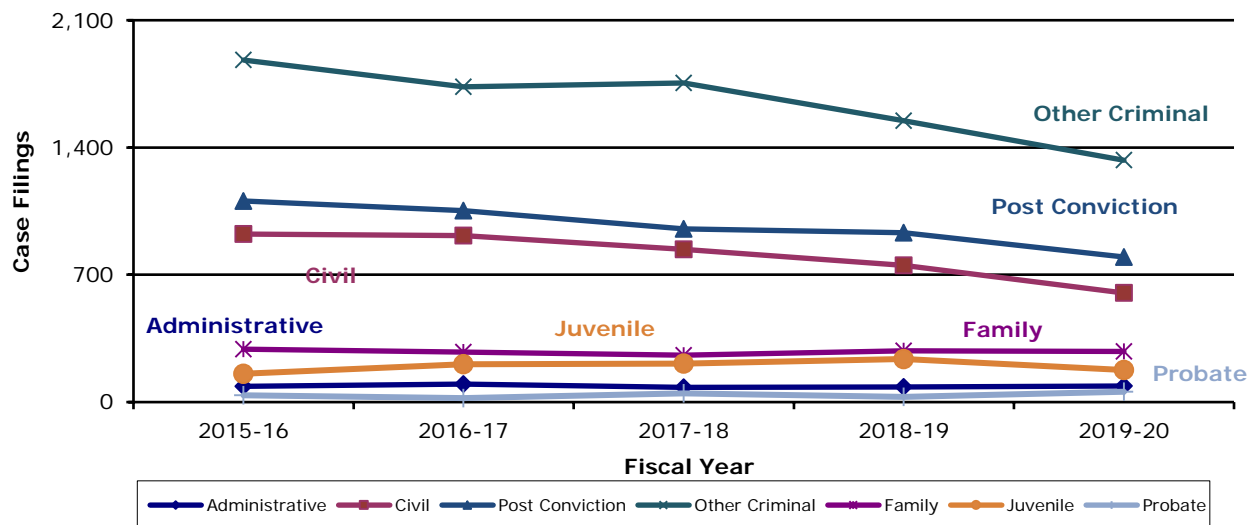
Fiscal Year 2015-16 to 2019-20

| Case Category | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--|--|
| Administrative | 87 | 99 | 81 | 84 | 88 | 8.6% | 1.1% |
| Civil | 924 | 916 | 840 | 752 | 600 | -28.6% | -35.1% |
| Criminal Post Conviction | 1,106 | 1,053 | 953 | 932 | 798 | -16.3% | -27.8% |
| Other Criminal | 1,881 | 1,733 | 1,755 | 1,547 | 1,330 | -24.2% | -29.3% |
| Family | 291 | 275 | 258 | 282 | 278 | 7.8% | -4.5% |
| Juvenile | 156 | 208 | 211 | 237 | 177 | -16.1% | 13.5% |
| Probate/Guardianship | 38 | 22 | 48 | 29 | 57 | 18.8% | 50.0% |
| Total | 4,483 | 4,306 | 4,146 | 3,863 | 3,328 | -19.7% | -25.8% |

FIFTH DISTRICT COURT OF APPEAL

Case Filings and Case Category

Fiscal Year 2015-16 to 2019-20



Case Processing Criteria

DISTRICT COURTS OF APPEAL

Clearance Rates

Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--------------|---------------|---------------|---------------|---------------|---------------|
| First | 100.2% | 102.7% | 93.3% | 101.4% | 115.0% |
| Second | 104.1% | 104.7% | 103.5% | 99.5% | 113.9% |
| Third | 99.8% | 98.1% | 102.4% | 109.6% | 111.5% |
| Fourth | 116.4% | 114.8% | 114.8% | 97.7% | 110.7% |
| Fifth | 103.3% | 103.6% | 102.2% | 103.1% | 117.8% |
| Total | 104.8% | 105.0% | 102.6% | 101.6% | 114.0% |

DISTRICT COURTS OF APPEAL

Average Pending Cases Per Month

Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--------------|---------------|---------------|---------------|---------------|---------------|
| First | 2,982 | 3,160 | 3,324 | 3,656 | 3,166 |
| Second | 4,312 | 4,160 | 3,766 | 3,839 | 3,612 |
| Third | 1,694 | 1,694 | 1,736 | 1,550 | 1,384 |
| Fourth | 3,831 | 3,126 | 2,580 | 2,126 | 2,121 |
| Fifth | 2,503 | 2,334 | 2,189 | 2,137 | 1,941 |
| Total | 15,322 | 14,475 | 13,594 | 13,308 | 12,223 |

Note: For each fiscal year, average pending cases per month is determined by the number of pending cases (cases with a filing date but no disposition date) at the beginning of each month averaged for the 12 month period.

Performance Measures

DISTRICT COURTS OF APPEAL Statewide Performance Measures Provided to Legislature during 2020 Session

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2018-19 | Estimated Fiscal Year 2019-20 | Requested Fiscal Year 2020-21 |
|--|---|----------------------------|-------------------------------|-------------------------------|
| Court Operations | Clearance Rate | 101.6% | 100.0% | 100.0% |
| | Number of cases disposed (all cases) | 20,583 | 23,399 | 21,971 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 270 | 222 | 239 |
| | Median number of days from filing to disposition for petitions | 47 | 49 | 48 |
| | Clearance Rate | 99.2% | 100.0% | 100.0% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 96.3% | 97.6% | 97.0% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 210 | 228 | 219 |
| | Median number of days from filing to disposition for petitions | 66 | 68 | 66 |
| | Clearance Rates | 104.8% | 100.0% | 100.0% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 92.0% | 95.5% | 94.0% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 20,583 | 23,399 | 21,971 |
| Court Records and Case Flow Management | Number of records maintained | 33,566 | 36,927 | 35,098 |
| Judicial Administration | Number of employees administered | 437.0 | 443.5 | 445.0 |
| Security | Square footage secured | 570,585 | 570,585 | 570,585 |
| Facility Maintenance and Management | Square footage maintained | 570,585 | 570,585 | 570,585 |

Notes:

1. Statewide performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.
2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.
3. Requested fiscal year 2020-21 requested figures correspond to the court's budget for fiscal year 2020-21.

Florida Office of the State Courts Administrator

Performance Measures

DISTRICT COURTS OF APPEAL
Statewide Performance Measures
Provided to Legislature during 2018, 2019, and 2020 Sessions

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 105.0% | 102.6% | 101.6% |
| | Number of cases disposed (all cases) | 23,604 | 21,725 | 20,583 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 219 | 229 | 270 |
| | Median number of days from filing to disposition for petitions | 48 | 48 | 47 |
| | Clearance Rate | 105.2% | 100.7% | 99.2% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 98.1% | 96.7% | 96.3% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 229 | 218 | 210 |
| | Median number of days from filing to disposition for petitions | 69 | 63 | 66 |
| | Clearance Rate | 104.8% | 104.9% | 104.8% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 95.3% | 94.7% | 0.0% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 23,604 | 21,725 | 20,583 |
| Court Records and Case Flow Management | Number of records maintained | 36,948 | 34,778 | 33,566 |
| Judicial Administration | Number of employees administered | 433.5 | 435.5 | 437.0 |
| Security | Square footage secured | 1,334,712 | 1,334,712 | 570,585 |
| Facility Maintenance and Management | Square footage maintained | 1,334,712 | 1,334,712 | 570,585 |

Notes:

1. Statewide performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.
2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

Performance Measures

FIRST DISTRICT COURT OF APPEAL Performance Measures

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 102.7% | 93.3% | 101.4% |
| | Number of cases disposed (all cases) | 5,692 | 5,151 | 5,039 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 190 | 219 | 315 |
| | Median number of days from filing to disposition for petitions | 63 | 72 | 93 |
| | Clearance Rate | 104.6% | 89.8% | 99.4% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 96.5% | 91.4% | 90.0% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 144 | 150 | 157 |
| | Median number of days from filing to disposition for petitions | 118 | 88 | 113 |
| | Clearance Rate | 100.1% | 98.5% | 104.4% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 96.1% | 90.4% | 83.5% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 5,692 | 5,151 | 5,039 |
| Court Records and Case Flow Management | Number of records maintained | 8,704 | 8,842 | 8,623 |
| Judicial Administration | Number of employees administered | 105.0 | 105.0 | 104.0 |
| Security | Square footage secured | 696,960 | 1,185 | 696,960 |
| Facility Maintenance and Management | Square footage maintained | 696,960 | 1,185 | 696,960 |

Notes:

1. Performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.

2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

Florida Office of the State Courts Administrator

Performance Measures

SECOND DISTRICT COURT OF APPEAL

Performance Measures

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 104.7% | 103.5% | 99.5% |
| | Number of cases disposed (all cases) | 5,781 | 5,183 | 4,954 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 264 | 296 | 318 |
| | Median number of days from filing to disposition for petitions | 56 | 46 | 43 |
| | Clearance Rate | 105.1% | 101.2% | 98.2% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 97.4% | 97.4% | 97.7% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 267 | 272 | 260 |
| | Median number of days from filing to disposition for petitions | 81 | 83 | 85 |
| | Clearance Rate | 104.1% | 107.5% | 101.6% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 94.7% | 93.7% | 93.1% |
| | Activity Related Performance Measures | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 5,781 | 5,183 | 4,954 |
| Court Records and Case Flow Management | Number of records maintained | 9,682 | 8,772 | 8,819 |
| Judicial Administration | Number of employees administered | 103.5 | 103.5 | 103.0 |
| Security | Square footage secured | 135,998 | 0 | 0 |
| Facility Maintenance and Management | Square footage maintained | 135,998 | 0 | 0 |

Notes:

1. Performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.

2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

Performance Measures

THIRD DISTRICT COURT OF APPEAL Performance Measures

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 98.1% | 102.4% | 109.6% |
| | Number of cases disposed (all cases) | 2,825 | 2,684 | 2,839 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 121 | 176 | 173 |
| | Median number of days from filing to disposition for petitions | 11 | 11 | 8 |
| | Clearance Rate | 100.3% | 106.9% | 103.1% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 98.8% | 96.5% | 97.0% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 237 | 218 | 217 |
| | Median number of days from filing to disposition for petitions | 57 | 50 | 51 |
| | Clearance Rate | 96.6% | 100.0% | 113.8% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 94.2% | 92.7% | 87.7% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 2,825 | 2,684 | 2,839 |
| Court Records and Case Flow Management | Number of records maintained | 4,574 | 4,356 | 4,140 |
| Judicial Administration | Number of employees administered | 65.0 | 67.0 | 66.0 |
| Security | Square footage secured | 174,312 | 255,784 | 255,784 |
| Facility Maintenance and Management | Square footage maintained | 174,312 | 255,784 | 255,784 |

Notes:

1. Performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.

2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

Florida Office of the State Courts Administrator

Performance Measures

FOURTH DISTRICT COURT OF APPEAL

Performance Measures

| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 114.8% | 114.8% | 97.7% |
| | Number of cases disposed (all cases) | 4,846 | 4,468 | 3,790 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 255 | 233 | 197 |
| | Median number of days from filing to disposition for petitions | 36 | 39 | 35 |
| | Clearance Rate | 112.3% | 115.0% | 95.0% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 99.4% | 98.9% | 99.0% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 294 | 223 | 204 |
| | Median number of days from filing to disposition for petitions | 43 | 51 | 37 |
| | Clearance Rate | 117.2% | 114.6% | 100.5% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 96.0% | 98.8% | 98.9% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 4,846 | 4,468 | 3,790 |
| Court Records and Case Flow Management | Number of records maintained | 7,348 | 6,473 | 6,004 |
| Judicial Administration | Number of employees administered | 82.0 | 82.0 | 84.0 |
| Security | Square footage secured | 174,442 | 160,616 | 160,616 |
| Facility Maintenance and Management | Square footage maintained | 174,442 | 160,616 | 160,616 |

Notes:

- Performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.
- Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

Performance Measures

FIFTH DISTRICT COURT OF APPEAL Performance Measures

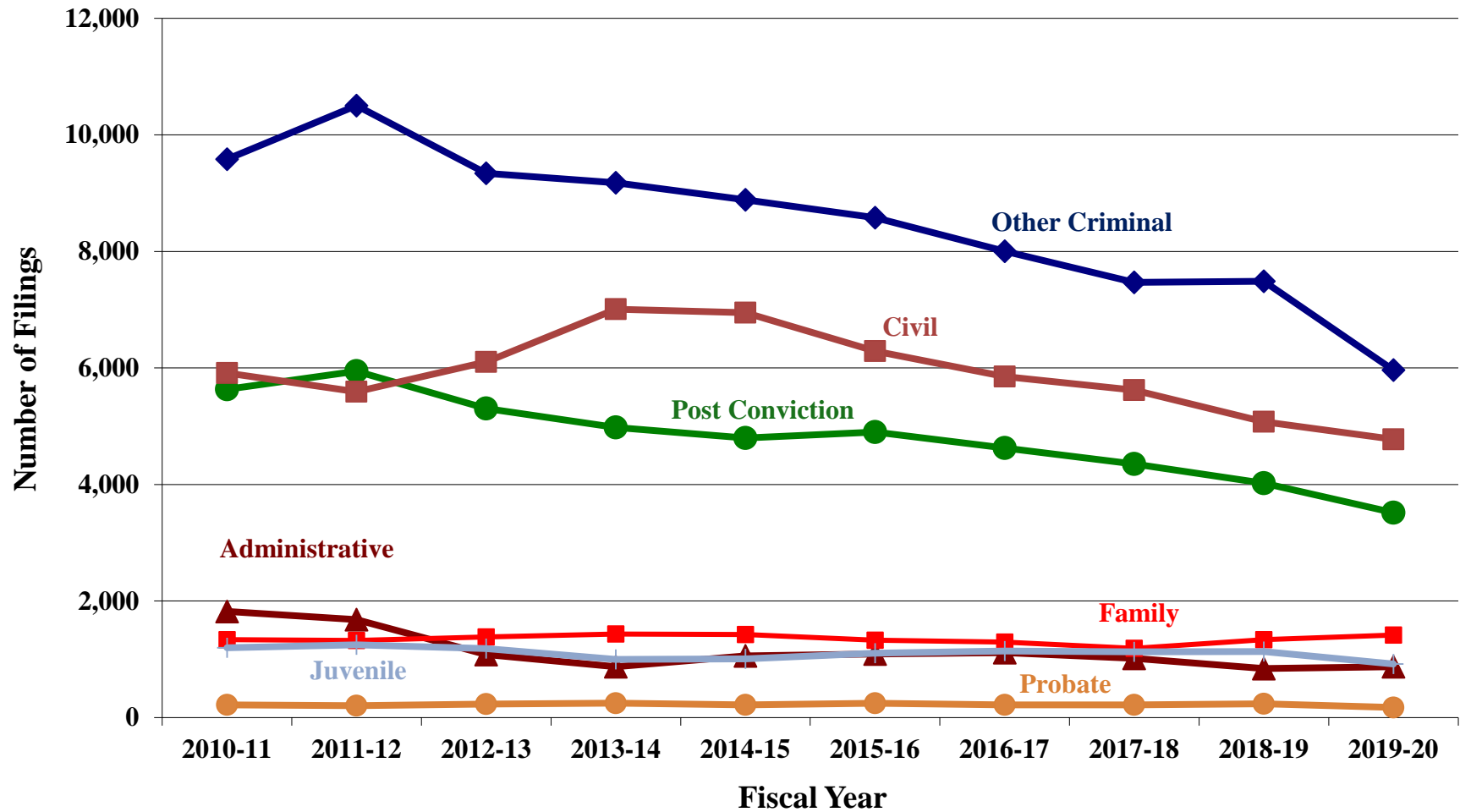
| Fiscal Year 2019-20 Service/Activity | Service Outcome and Activity Output Measures | Actual Fiscal Year 2016-17 | Actual Fiscal Year 2017-18 | Actual Fiscal Year 2018-19 |
|--|---|----------------------------|----------------------------|----------------------------|
| Court Operations | Clearance Rate | 103.6% | 102.2% | 103.1% |
| | Number of cases disposed (all cases) | 4,460 | 4,239 | 3,961 |
| Case Related Performance Measures | Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 175 | 179 | 179 |
| | Median number of days from filing to disposition for petitions | 44 | 42 | 45 |
| | Clearance Rate | 102.8% | 101.6% | 101.8% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 98.8% | 99.3% | 98.6% |
| | Non-Criminal Appeals and Petitions | | | |
| | Median number of days from filing to disposition for notices of appeal | 211 | 208 | 202 |
| | Median number of days from filing to disposition for petitions | 64 | 55 | 63 |
| | Clearance Rate | 104.9% | 103.5% | 105.4% |
| | Percentage of cases disposed within 180 days of oral argument or conference | 95.3% | 97.4% | 98.7% |
| Activity Related Performance Measures | | | | |
| Judicial Processing of Cases | Number of cases disposed (all cases) | 4,460 | 4,239 | 3,961 |
| Court Records and Case Flow Management | Number of records maintained | 6,640 | 6,335 | 5,980 |
| Judicial Administration | Number of employees administered | 78.0 | 78.0 | 80.0 |
| Security | Square footage secured | 153,000 | 153,000 | 153,000 |
| Facility Maintenance and Management | Square footage maintained | 153,000 | 153,000 | 153,000 |

Notes:

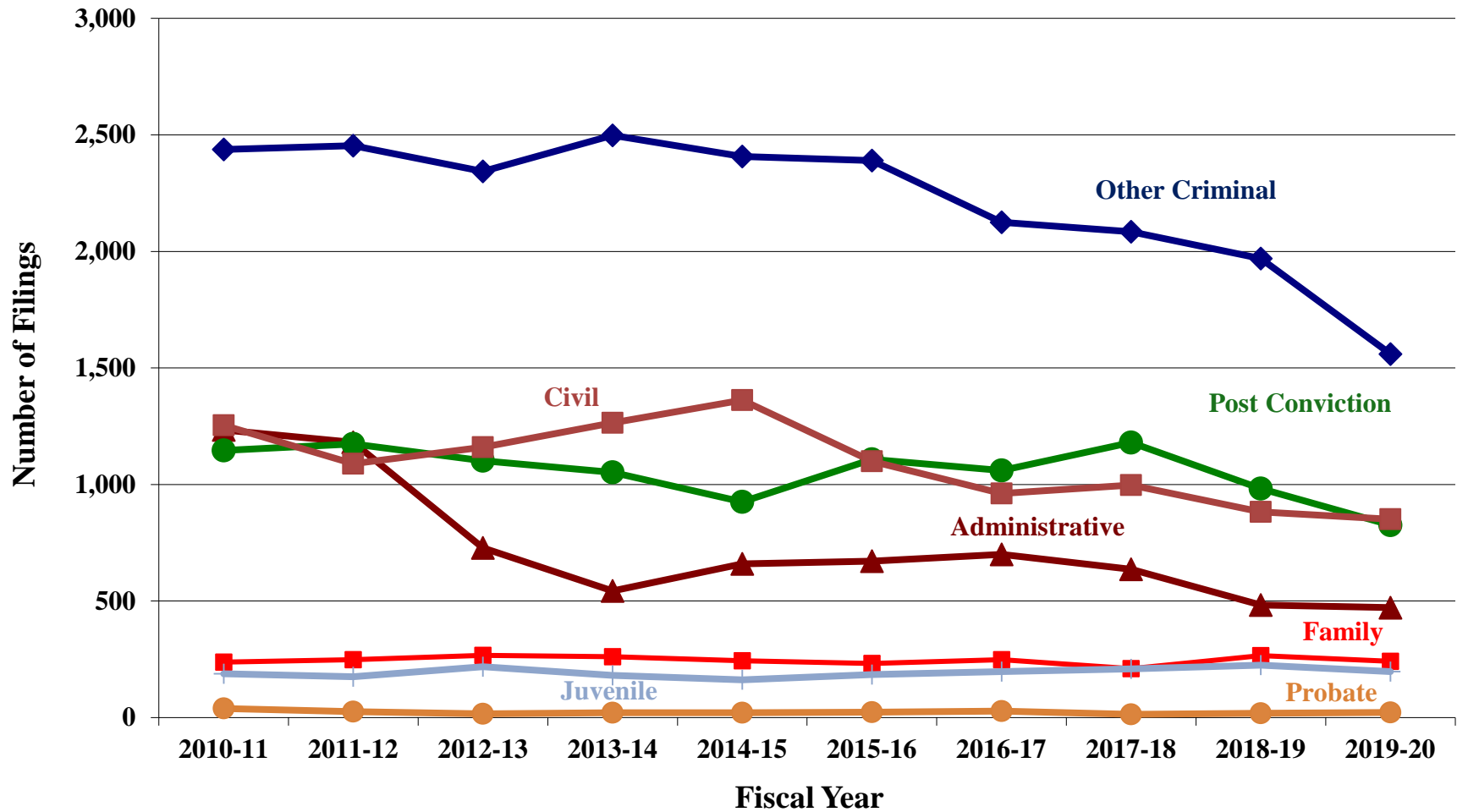
1. Performance measures figures represent the official reporting to the Legislature as required for performance-based budgeting. Statistics may fluctuate significantly from year to year due to many factors occurring in the court.

2. Clearance rate is a calculation of the number of cases disposed divided by the number of cases filed in the same year.

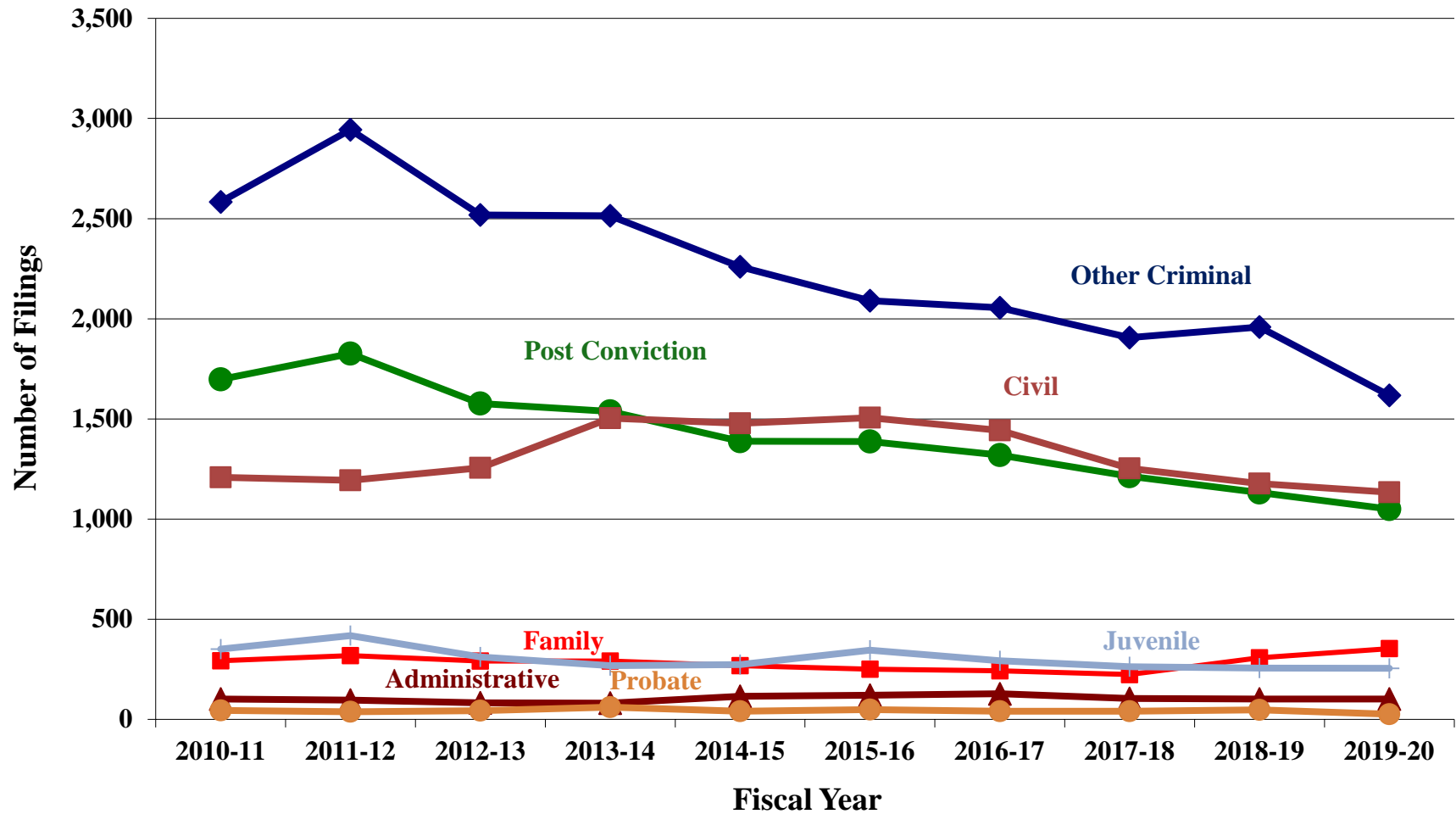
District Courts of Appeal Caseload Analysis Filings Trend by Type of Case State Total, Fiscal Year 2010-11 to 2019-20



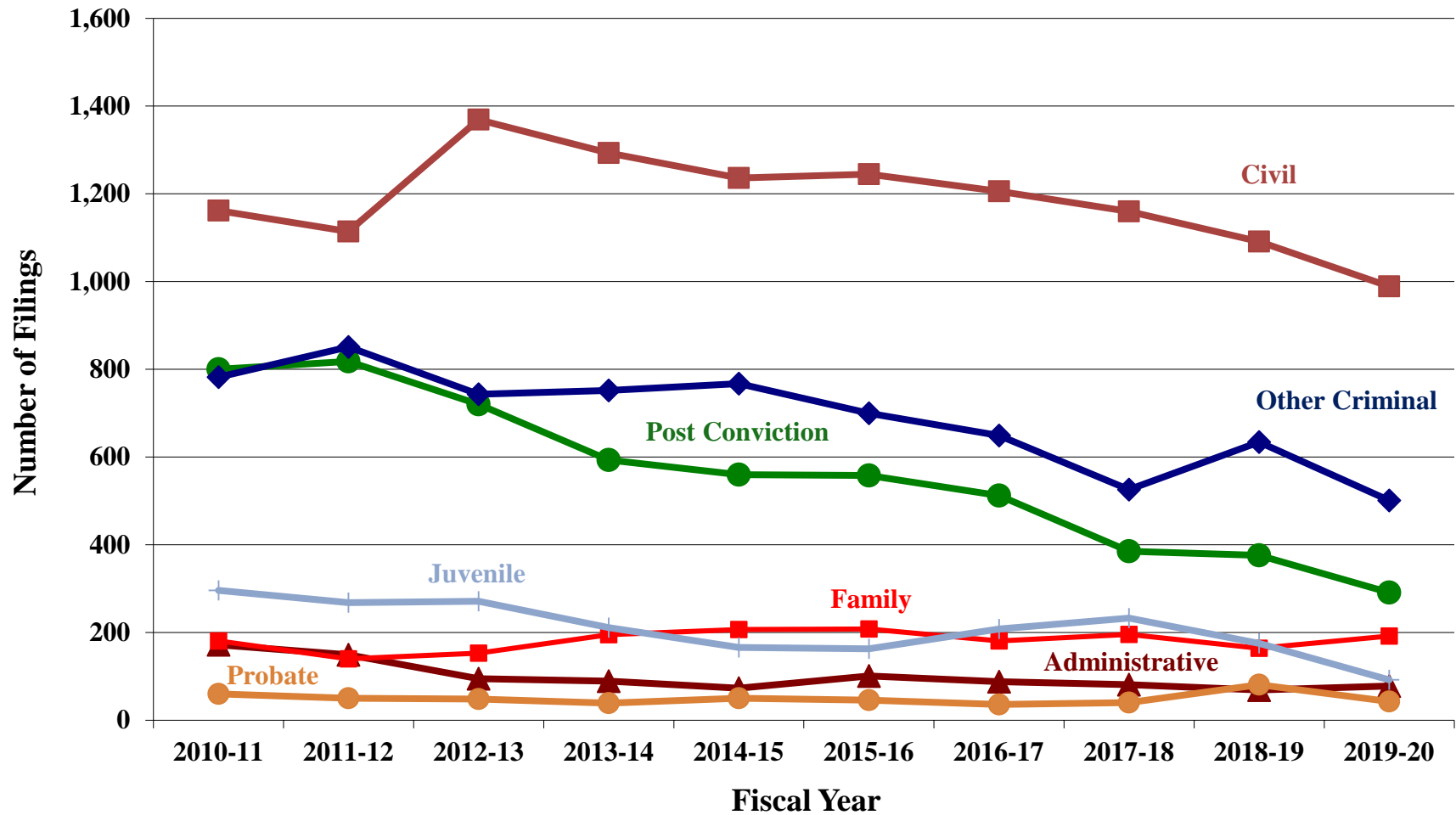
District Courts of Appeal Caseload Analysis Filings Trend by Type of Case First District, Fiscal Year 2010-11 to 2019-20



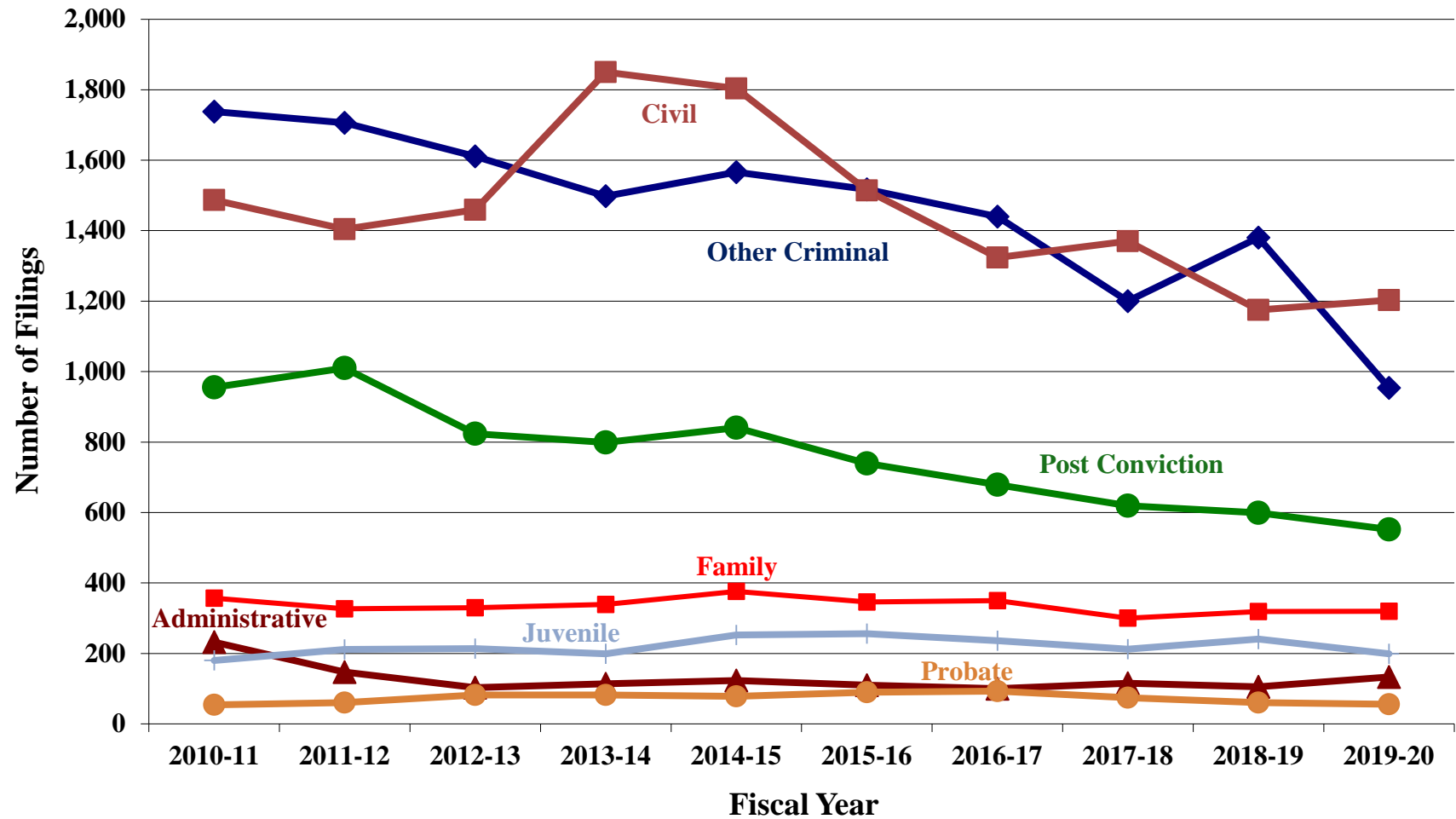
District Courts of Appeal Caseload Analysis Filings Trend by Type of Case Second District, Fiscal Year 2010-11 to 2019-20



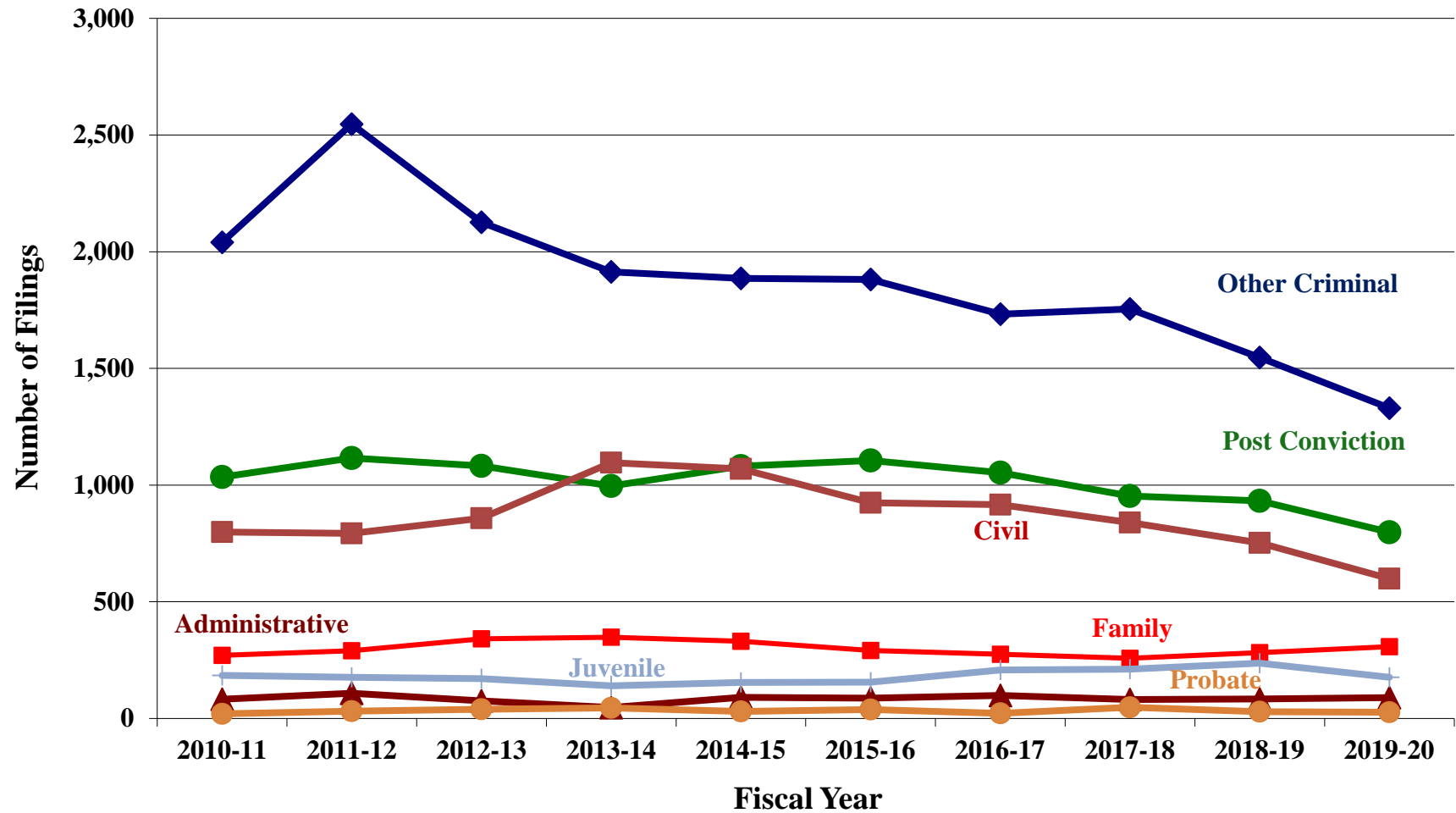
District Courts of Appeal Caseload Analysis Filings Trend by Type of Case Third District, Fiscal Year 2010-11 to 2019-20



District Courts of Appeal Caseload Analysis Filings Trend by Type of Case Fourth District, Fiscal Year 2010-11 to 2019-20



District Courts of Appeal Caseload Analysis Filings Trend by Type of Case Fifth District, Fiscal Year 2010-11 to 2019-20



District Courts of Appeal

Criminal and Civil Filings

Fiscal Year 2019-20

| | First | Second | Third | Fourth | Fifth | Total |
|---|--------------|--------------|--------------|--------------|--------------|---------------|
| Total Criminal and Civil Filings | 4,316 | 4,538 | 2,186 | 3,417 | 3,327 | 17,784 |
| Total Post Conviction | 826 | 1,050 | 291 | 552 | 798 | 3,517 |
| 3.800 | 295 | 381 | 136 | 171 | 247 | 1,230 |
| 3.801 | 24 | 18 | 3 | 7 | 11 | 63 |
| 3.802 | 0 | 0 | 0 | 0 | 2 | 2 |
| 3.850 | 502 | 638 | 148 | 367 | 532 | 2,187 |
| 3.853 | 5 | 13 | 4 | 7 | 6 | 35 |
| Other Criminal Notices of Appeal | 962 | 812 | 243 | 472 | 771 | 3,260 |
| Habeas Corpus | 0 | 0 | 44 | 46 | 44 | 134 |
| Judgment and Sentence | 814 | 719 | 125 | 368 | 646 | 2,672 |
| Other | 142 | 69 | 64 | 45 | 55 | 375 |
| State Appeals | 6 | 24 | 10 | 13 | 26 | 79 |
| Other Criminal Petitions | 598 | 805 | 258 | 482 | 558 | 2,701 |
| Certiorari | 32 | 63 | 14 | 38 | 56 | 203 |
| Coram Nobis | 0 | 0 | 1 | 1 | 0 | 2 |
| Criminal | 0 | 0 | 0 | 0 | 1 | 1 |
| Habeas Corpus | 138 | 194 | 107 | 125 | 116 | 680 |
| Mandamus | 161 | 218 | 46 | 115 | 106 | 646 |
| Other Original Proceedings | 2 | 1 | 2 | 0 | 0 | 5 |
| Ineffective Assistance of Counsel | 84 | 113 | 9 | 71 | 107 | 384 |
| Belated Appeal | 145 | 151 | 57 | 96 | 114 | 563 |
| Prohibition | 36 | 65 | 22 | 36 | 58 | 217 |
| Civil Notices and Petitions | 1,930 | 1,871 | 1,394 | 1,911 | 1,200 | 8,306 |
| Administrative | 472 | 103 | 78 | 133 | 88 | 838 |
| Civil | 851 | 1,134 | 989 | 1,203 | 600 | 5,049 |
| Family | 239 | 337 | 175 | 306 | 278 | 1,342 |
| Juvenile | 197 | 255 | 92 | 199 | 177 | 1,135 |
| Guardianship/Probate | 25 | 42 | 60 | 70 | 57 | 165 |
| Workers' Compensation | 146 | 0 | 0 | 0 | 0 | 148 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Fiscal Year 2018-19
Additional Data on District Courts of Appeal

| DCA | Population ¹ | Travel Distance (Square Mile) | Cases Filed ² | Cases Disposed on the Merits ² | Number of Judges (DCA) ² | Weighted Workload Per Judge ² |
|-----|-------------------------|----------------------------------|--------------------------|--|--|--|
| 1 | 3,346,191 | 24,803 | 4,974 | 3,764 | 15 | 240 |
| 2 | 5,919,471 | 15,306 | 4,980 | 3,809 | 16 | 245 |
| 3 | 2,882,784 | 6,169 | 2,590 | 2,067 | 10 | 239 |
| 4 | 4,023,296 | 6,656 | 3,879 | 2,701 | 12 | 256 |
| 5 | 4,928,261 | 12,825 | 3,863 | 2,968 | 11 | 267 |

Notes:

1. Population as of January 1, 2019.

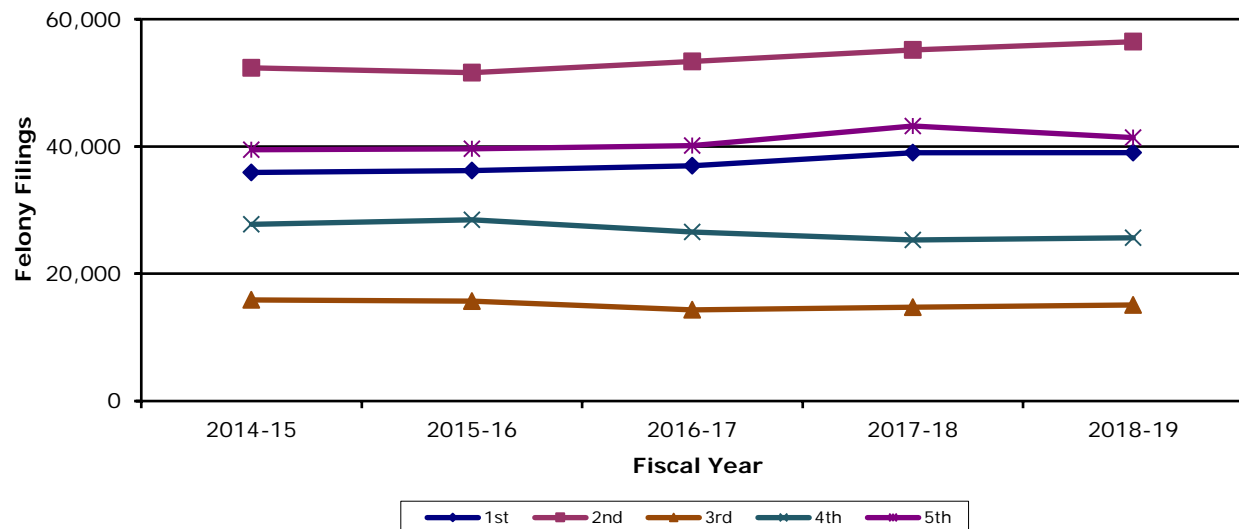
2. Cases filed, cases disposed on the merits, number of judges, and weighted workload per judge as of fiscal year 2018-19.

Caseload Criteria

DISTRICT COURTS OF APPEAL Trial Court Felony Filings and Percent Change Fiscal Year 2014-15 to 2018-19

| District | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | % Change Fiscal Year 2016-17 to 2018-19 | % Change Fiscal Year 2014-15 to 2018-19 |
|----------|---------|---------|---------|---------|---------|--|--|
| First | 35,917 | 36,237 | 36,953 | 39,016 | 39,014 | 5.6% | 8.6% |
| Second | 52,351 | 51,595 | 53,340 | 55,153 | 56,456 | 5.8% | 7.8% |
| Third | 15,887 | 15,715 | 14,325 | 14,723 | 15,117 | 5.5% | -4.8% |
| Fourth | 27,774 | 28,478 | 26,582 | 25,310 | 25,677 | -3.4% | -7.6% |
| Fifth | 39,485 | 39,645 | 40,140 | 43,217 | 41,377 | 3.1% | 4.8% |
| Total | 171,414 | 171,670 | 171,340 | 177,419 | 177,641 | 3.7% | 3.6% |

DISTRICT COURTS OF APPEAL Trial Court Felony Filings Fiscal Year 2014-15 to 2018-19



District Court of Appeal Workload and Jurisdiction Assessment Committee

Fiscal Year 2018-19
Additional Data on Trial Courts by District Court of Appeal
(DCA)

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | Cases Filed ^{2,3} | Cases Disposed ^{2,3} |
|---------|---------|----------------------|-------------------------|----------------------------------|-------------------------------|----------------------------------|
| 1st DCA | 1 | Escambia | 321,601 | 875 | 33,207 | 34,149 |
| | | Okaloosa | 200,032 | 1,082 | 18,984 | 18,504 |
| | | Santa Rosa | 177,963 | 1,174 | 13,517 | 13,069 |
| | | Walton | 69,333 | 1,240 | 6,359 | 5,980 |
| | | Circuit Total | 768,929 | 4,371 | 72,067 | 71,702 |
| | 2 | Franklin | 11,976 | 1,026 | 1,465 | 1,164 |
| | | Gadsden | 47,822 | 529 | 4,235 | 3,844 |
| | | Jefferson | 14,808 | 637 | 1,108 | 888 |
| | | Leon | 295,389 | 702 | 24,866 | 24,292 |
| | | Liberty | 9,080 | 843 | 706 | 540 |
| | | Wakulla | 32,176 | 736 | 2,682 | 1,968 |
| | | Circuit Total | 411,251 | 4,473 | 35,062 | 32,696 |
| | 3 | Columbia | 70,306 | 801 | 6,962 | 6,675 |
| | | Dixie | 16,469 | 864 | 1,335 | 1,048 |
| | | Hamilton | 14,699 | 519 | 1,943 | 1,649 |
| | | Lafayette | 8,570 | 548 | 564 | 444 |
| | | Madison | 19,521 | 716 | 1,705 | 1,381 |
| | | Suwannee | 45,200 | 692 | 3,957 | 3,543 |
| | | Taylor | 22,475 | 1,232 | 1,859 | 1,632 |
| | | Circuit Total | 197,240 | 5,372 | 18,325 | 16,372 |
| | 4 | Clay | 215,045 | 644 | 13,466 | 12,276 |
| | | Duval | 964,775 | 918 | 106,302 | 107,669 |
| | | Nassau | 84,240 | 726 | 6,971 | 6,669 |
| | | Circuit Total | 1,264,060 | 2,288 | 126,739 | 126,614 |
| | 8 | Alachua | 265,470 | 969 | 19,453 | 20,327 |
| | | Baker | 27,948 | 589 | 2,564 | 2,126 |
| | | Bradford | 28,332 | 300 | 3,079 | 2,926 |
| | | Gilchrist | 17,574 | 355 | 1,337 | 1,058 |
| | | Levy | 41,192 | 1,413 | 4,063 | 3,953 |
| | | Union | 15,911 | 250 | 919 | 1,032 |
| | | Circuit Total | 396,427 | 3,876 | 31,415 | 31,422 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Fiscal Year 2018-19
Additional Data on Trial Courts by District Court of Appeal
(DCA)

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | Cases Filed ^{2,3} | Cases Disposed ^{2,3} |
|---------|---------|----------------------|-------------------------|----------------------------------|-------------------------------|----------------------------------|
| 1st DCA | 14 | Bay | 180,871 | 1,033 | 28,792 | 26,734 |
| | | Calhoun | 15,037 | 574 | 1,129 | 971 |
| | | Gulf | 16,564 | 756 | 1,481 | 907 |
| | | Holmes | 20,158 | 489 | 1,854 | 1,641 |
| | | Jackson | 50,392 | 955 | 3,704 | 3,337 |
| | | Washington | 25,262 | 616 | 2,471 | 1,898 |
| | | Circuit Total | 308,284 | 4,423 | 39,431 | 35,488 |
| 2nd DCA | 6 | Pasco | 522,296 | 868 | 48,254 | 46,425 |
| | | Pinellas | 976,397 | 608 | 92,197 | 87,257 |
| | | Circuit Total | 1,498,693 | 1,476 | 140,451 | 133,682 |
| | 10 | Hardee | 27,298 | 638 | 2,751 | 2,797 |
| | | Highlands | 102,976 | 1,106 | 7,870 | 7,468 |
| | | Polk | 681,877 | 2,011 | 67,920 | 67,284 |
| | | Circuit Total | 812,151 | 3,755 | 78,541 | 77,549 |
| | 12 | Desoto | 35,585 | 639 | 2,927 | 2,870 |
| | | Manatee | 384,357 | 893 | 27,337 | 33,118 |
| | | Sarasota | 423,778 | 725 | 31,132 | 33,726 |
| | | Circuit Total | 843,720 | 2,257 | 61,396 | 69,714 |
| | 13 | Hillsborough | 1,430,750 | 1,266 | 156,942 | 152,444 |
| | | Circuit Total | 1,430,750 | 1,266 | 156,942 | 152,444 |
| | 20 | Charlotte | 181,039 | 858 | 15,567 | 15,239 |
| | | Collier | 373,993 | 2,305 | 25,328 | 23,766 |
| | | Glades | 13,038 | 987 | 1,090 | 971 |
| | | Hendry | 39,911 | 1,190 | 3,697 | 3,579 |
| | | Lee | 726,176 | 1,212 | 61,672 | 59,865 |
| | | Circuit Total | 1,334,157 | 6,552 | 107,354 | 103,420 |
| 3rd DCA | 11 | Miami-Dade | 2,809,733 | 2,431 | 287,844 | 263,836 |
| | | Circuit Total | 2,809,733 | 2,431 | 287,844 | 263,836 |
| | 16 | Monroe | 73,051 | 3,738 | 8,774 | 6,724 |
| | | Circuit Total | 73,051 | 3,738 | 8,774 | 6,724 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Fiscal Year 2018-19
Additional Data on Trial Courts by District Court of Appeal
(DCA)

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | Cases Filed ^{2,3} | Cases Disposed ^{2,3} | |
|---------------|---------|---------------|-------------------------|----------------------------------|-------------------------------|----------------------------------|--------|
| 4th DCA | 15 | Palm Beach | 1,448,431 | 2,383 | 137,814 | 146,361 | |
| | | Circuit Total | 1,448,431 | 2,383 | 137,814 | 146,361 | |
| | 17 | Broward | 1,916,077 | 1,323 | 193,719 | 370,651 | |
| | | Circuit Total | 1,916,077 | 1,323 | 193,719 | 370,651 | |
| | 19 | Indian River | 153,992 | 617 | 10,943 | 10,788 | |
| | | Martin | 157,164 | 753 | 12,358 | 12,809 | |
| | | Okeechobee | 41,230 | 892 | 4,304 | 3,985 | |
| | | St. Lucie | 306,402 | 688 | 25,276 | 24,787 | |
| | | Circuit Total | 658,788 | 2,950 | 52,881 | 52,369 | |
| | 5th DCA | 5 | Citrus | 147,078 | 773 | 10,194 | 10,346 |
| Hernando | | | 188,177 | 589 | 17,281 | 17,229 | |
| Lake | | | 350,195 | 1,157 | 25,857 | 24,049 | |
| Marion | | | 357,592 | 1,663 | 30,110 | 28,881 | |
| Sumter | | | 128,439 | 580 | 6,548 | 6,025 | |
| Circuit Total | | | 1,171,481 | 4,762 | 89,990 | 86,530 | |
| 7 | | Flagler | 109,400 | 571 | 9,545 | 8,923 | |
| | | Putnam | 72,966 | 827 | 7,312 | 7,443 | |
| | | St. Johns | 245,403 | 822 | 15,653 | 14,985 | |
| | | Volusia | 536,374 | 1,432 | 62,684 | 63,992 | |
| | | Circuit Total | 964,143 | 3,652 | 95,194 | 95,343 | |
| 9 | | Orange | 1,372,399 | 1,003 | 133,440 | 116,955 | |
| | | Osceola | 361,220 | 1,506 | 30,284 | 28,382 | |
| | | Circuit Total | 1,733,619 | 2,509 | 163,724 | 145,337 | |
| 18 | | Brevard | 589,740 | 1,557 | 47,569 | 48,243 | |
| | | Seminole | 469,278 | 345 | 34,237 | 33,225 | |
| | | Circuit Total | 1,059,018 | 1,902 | 81,806 | 81,468 | |
| State Total | | | 21,100,003 | 65,759 | 1,979,469 | 2,099,722 | |

Notes:

1. Population as of January 1, 2019.
2. Cases filed and cases disposed are the official 2018-19 Statistical Reference Guide data.
3. Civil Traffic Infraction data is not included.

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****DCA Filings and Dispositions by Circuit/County****Fiscal Year 2017-18, 2018-19, and 2019-20****Additional Data Request**

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | FY 17-18 Cases Filed | FY 17-18 Cases Disposed | FY 18-19 Cases Filed | FY 18-19 Cases Disposed | FY 19-20 Cases Filed | FY 19-20 Cases Disposed |
|---------|---------|----------------------|-------------------------|----------------------------------|-------------------------|----------------------------|-------------------------|----------------------------|-------------------------|----------------------------|
| 1st DCA | 1 | Escambia | 321,601 | 875 | 634 | 527 | 632 | 576 | 540 | 662 |
| | | Okaloosa | 200,032 | 1,082 | 189 | 163 | 202 | 204 | 160 | 195 |
| | | Santa Rosa | 177,963 | 1,174 | 162 | 147 | 162 | 152 | 137 | 155 |
| | | Walton | 69,333 | 1,240 | 67 | 66 | 90 | 64 | 80 | 98 |
| | | Circuit Total | 768,929 | 4,371 | 1,052 | 903 | 1,086 | 996 | 917 | 1,110 |
| | 2 | Franklin | 11,976 | 1,026 | 8 | 6 | 5 | 10 | 16 | 11 |
| | | Gadsden | 47,822 | 529 | 59 | 64 | 67 | 59 | 60 | 63 |
| | | Jefferson | 14,808 | 637 | 9 | 8 | 23 | 18 | 16 | 17 |
| | | Leon | 295,389 | 702 | 802 | 683 | 727 | 708 | 645 | 750 |
| | | Liberty | 9,080 | 843 | 7 | 8 | 8 | 8 | 9 | 7 |
| | | Wakulla | 32,176 | 736 | 42 | 32 | 33 | 35 | 23 | 31 |
| | | Circuit Total | 411,251 | 4,473 | 927 | 801 | 863 | 838 | 769 | 879 |
| | 3 | Columbia | 70,306 | 801 | 113 | 107 | 92 | 94 | 84 | 103 |
| | | Dixie | 16,469 | 864 | 14 | 11 | 17 | 24 | 13 | 12 |
| | | Hamilton | 14,699 | 519 | 28 | 21 | 26 | 23 | 11 | 20 |
| | | Lafayette | 8,570 | 548 | 14 | 9 | 5 | 4 | 12 | 16 |
| | | Madison | 19,521 | 716 | 24 | 23 | 32 | 19 | 34 | 32 |
| | | Suwannee | 45,200 | 692 | 81 | 56 | 58 | 64 | 52 | 70 |
| | | Taylor | 22,475 | 1,232 | 29 | 37 | 32 | 31 | 19 | 26 |
| | | Circuit Total | 197,240 | 5,372 | 303 | 264 | 262 | 259 | 225 | 279 |
| | 4 | Clay | 215,045 | 644 | 116 | 94 | 72 | 96 | 91 | 79 |
| | | Duval | 964,775 | 918 | 1,431 | 1,309 | 1,178 | 1,268 | 926 | 1,131 |
| | | Nassau | 84,240 | 726 | 60 | 54 | 52 | 55 | 46 | 56 |
| | | Circuit Total | 1,264,060 | 2,288 | 1,607 | 1,457 | 1,302 | 1,419 | 1,063 | 1,266 |

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****DCA Filings and Dispositions by Circuit/County****Fiscal Year 2017-18, 2018-19, and 2019-20****Additional Data Request**

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | FY 17-18 Cases Filed | FY 17-18 Cases Disposed | FY 18-19 Cases Filed | FY 18-19 Cases Disposed | FY 19-20 Cases Filed | FY 19-20 Cases Disposed |
|---------|---------|----------------------|-------------------------|----------------------------------|-------------------------|----------------------------|-------------------------|----------------------------|-------------------------|----------------------------|
| | 8 | Alachua | 265,470 | 969 | 303 | 292 | 300 | 296 | 234 | 289 |
| | | Baker | 27,948 | 589 | 35 | 39 | 34 | 36 | 31 | 35 |
| | | Bradford | 28,332 | 300 | 41 | 49 | 51 | 53 | 26 | 34 |
| | | Gilchrist | 17,574 | 355 | 10 | 10 | 14 | 8 | 9 | 11 |
| | | Levy | 41,192 | 1,413 | 11 | 20 | 34 | 12 | 24 | 38 |
| | | Union | 15,911 | 250 | 25 | 20 | 23 | 19 | 17 | 23 |
| | | Circuit Total | 396,427 | 3,876 | 425 | 430 | 456 | 424 | 341 | 430 |
| | 14 | Bay | 180,871 | 1,033 | 207 | 172 | 199 | 193 | 187 | 197 |
| | | Calhoun | 15,037 | 574 | 8 | 12 | 10 | 10 | 4 | 7 |
| | | Gulf | 16,564 | 756 | 9 | 13 | 6 | 5 | 7 | 8 |
| | | Holmes | 20,158 | 489 | 31 | 34 | 12 | 15 | 12 | 16 |
| | | Jackson | 50,392 | 955 | 49 | 43 | 37 | 51 | 77 | 48 |
| | | Washington | 25,262 | 616 | 41 | 35 | 42 | 43 | 30 | 41 |
| | | Circuit Total | 308,284 | 4,423 | 345 | 309 | 306 | 317 | 317 | 317 |
| 2nd DCA | 6 | Pasco | 522,296 | 868 | 275 | 309 | 280 | 287 | 255 | 267 |
| | | Pinellas | 976,397 | 608 | 998 | 987 | 878 | 907 | 861 | 968 |
| | | Circuit Total | 1,498,693 | 1,476 | 1,273 | 1,296 | 1,158 | 1,194 | 1,116 | 1,235 |
| | 10 | Hardee | 27,298 | 638 | 42 | 31 | 23 | 35 | 34 | 31 |
| | | Highlands | 102,976 | 1,106 | 97 | 90 | 76 | 92 | 81 | 93 |
| | | Polk | 681,877 | 2,011 | 706 | 763 | 733 | 691 | 626 | 775 |
| | | Circuit Total | 812,151 | 3,755 | 845 | 884 | 832 | 818 | 741 | 899 |
| | 12 | Desoto | 35,585 | 639 | 50 | 50 | 65 | 53 | 46 | 61 |
| | | Manatee | 384,357 | 893 | 290 | 277 | 308 | 314 | 289 | 320 |
| | | Sarasota | 423,778 | 725 | 359 | 417 | 414 | 380 | 333 | 425 |
| | | Circuit Total | 843,720 | 2,257 | 699 | 744 | 787 | 747 | 668 | 806 |

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****DCA Filings and Dispositions by Circuit/County****Fiscal Year 2017-18, 2018-19, and 2019-20****Additional Data Request**

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | FY 17-18 Cases Filed | FY 17-18 Cases Disposed | FY 18-19 Cases Filed | FY 18-19 Cases Disposed | FY 19-20 Cases Filed | FY 19-20 Cases Disposed |
|---------|---------|----------------------|-------------------------|----------------------------------|-------------------------|----------------------------|-------------------------|----------------------------|-------------------------|----------------------------|
| | 13 | Hillsborough | 1,430,750 | 1,266 | 1,325 | 1,424 | 1,290 | 1,285 | 1,172 | 1,330 |
| | | Circuit Total | 1,430,750 | 1,266 | 1,325 | 1,424 | 1,290 | 1,285 | 1,172 | 1,330 |
| | 20 | Charlotte | 181,039 | 858 | 134 | 132 | 157 | 147 | 111 | 144 |
| | | Collier | 373,993 | 2,305 | 237 | 227 | 238 | 231 | 266 | 255 |
| | | Glades | 13,038 | 987 | 7 | 6 | 7 | 7 | 4 | 5 |
| | | Hendry | 39,911 | 1,190 | 53 | 36 | 23 | 42 | 24 | 25 |
| | | Lee | 726,176 | 1,212 | 426 | 431 | 481 | 484 | 439 | 470 |
| | | Circuit Total | 1,334,157 | 6,552 | 857 | 832 | 906 | 911 | 844 | 899 |
| 3rd DCA | 11 | Miami-Dade | 2,809,733 | 2,431 | 2,438 | 2,467 | 2,351 | 2,621 | 2,009 | 2,205 |
| | | Circuit Total | 2,809,733 | 2,431 | 2,438 | 2,467 | 2,351 | 2,621 | 2,009 | 2,205 |
| | 16 | Monroe | 73,051 | 3,738 | 99 | 116 | 159 | 134 | 95 | 139 |
| | | Circuit Total | 73,051 | 3,738 | 99 | 116 | 159 | 134 | 95 | 139 |
| 4th DCA | 15 | Palm Beach | 1,448,431 | 2,383 | 1,218 | 1,447 | 1,181 | 1,191 | 1,125 | 1,188 |
| | | Circuit Total | 1,448,431 | 2,383 | 1,218 | 1,447 | 1,181 | 1,191 | 1,125 | 1,188 |
| | 17 | Broward | 1,916,077 | 1,323 | 1,967 | 2,195 | 1,862 | 1,881 | 1,641 | 1,760 |
| | | Circuit Total | 1,916,077 | 1,323 | 1,967 | 2,195 | 1,862 | 1,881 | 1,641 | 1,760 |
| | 19 | Indian River | 153,992 | 617 | 166 | 167 | 275 | 146 | 101 | 147 |
| | | Martin | 157,164 | 753 | 150 | 195 | 161 | 129 | 167 | 195 |
| | | Okeechobee | 41,230 | 892 | 59 | 66 | 72 | 63 | 69 | 77 |
| | | St. Lucie | 306,402 | 688 | 338 | 365 | 351 | 338 | 321 | 365 |
| | | Circuit Total | 658,788 | 2,950 | 713 | 793 | 859 | 676 | 658 | 784 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee

DCA Filings and Dispositions by Circuit/County

Fiscal Year 2017-18, 2018-19, and 2019-20

Additional Data Request

| DCA | Circuit | County | Population ¹ | Travel Distance (Square Mile) | FY 17-18 Cases Filed | FY 17-18 Cases Disposed | FY 18-19 Cases Filed | FY 18-19 Cases Disposed | FY 19-20 Cases Filed | FY 19-20 Cases Disposed |
|-------------|---------|---------------|-------------------------|----------------------------------|-------------------------|----------------------------|-------------------------|----------------------------|-------------------------|----------------------------|
| 5th DCA | 5 | Citrus | 147,078 | 773 | 219 | 200 | 191 | 203 | 183 | 211 |
| | | Hernando | 188,177 | 589 | 139 | 137 | 130 | 133 | 140 | 135 |
| | | Lake | 350,195 | 1,157 | 154 | 182 | 174 | 158 | 141 | 155 |
| | | Marion | 357,592 | 1,663 | 310 | 343 | 303 | 322 | 274 | 288 |
| | | Sumter | 128,439 | 580 | 57 | 56 | 61 | 52 | 56 | 69 |
| | | Circuit Total | 1,171,481 | 4,762 | 879 | 918 | 859 | 868 | 794 | 858 |
| | 7 | Flagler | 109,400 | 571 | 75 | 67 | 54 | 64 | 44 | 54 |
| | | Putnam | 72,966 | 827 | 71 | 104 | 116 | 96 | 75 | 92 |
| | | St. Johns | 245,403 | 822 | 156 | 147 | 165 | 151 | 115 | 159 |
| | | Volusia | 536,374 | 1,432 | 479 | 513 | 418 | 406 | 392 | 470 |
| | | Circuit Total | 964,143 | 3,652 | 781 | 831 | 753 | 717 | 626 | 775 |
| | 9 | Orange | 1,372,399 | 1,003 | 1,348 | 1,350 | 1,200 | 1,207 | 1,004 | 1,197 |
| | | Osceola | 361,220 | 1,506 | 238 | 238 | 217 | 233 | 190 | 228 |
| | | Circuit Total | 1,733,619 | 2,509 | 1,586 | 1,588 | 1,417 | 1,440 | 1,194 | 1,425 |
| | 18 | Brevard | 589,740 | 1,557 | 508 | 497 | 551 | 570 | 432 | 550 |
| | | Seminole | 469,278 | 345 | 393 | 387 | 292 | 340 | 270 | 295 |
| | | Circuit Total | 1,059,018 | 1,902 | 901 | 884 | 843 | 910 | 702 | 845 |
| State Total | | | 21,100,003 | 65,759 | 20,240 | 20,583 | 19,532 | 19,646 | 17,017 | 19,429 |

Notes:

1. Population as of January 1, 2019.
2. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.
3. Some district court filings and dispositions did not have an associated circuit or county noted and were not included in this data table.

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****DCA Filings vs Trial Court Filings
Fiscal Year 2010-11 through 2019-20
Additional Data Request**

| | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 |
|--|-----------|-----------|-----------|-----------|-----------|
| DCA Filings | 26,187 | 26,841 | 24,907 | 24,999 | 24,650 |
| Trial Court Filings | 3,967,613 | 4,048,451 | 3,904,301 | 3,602,144 | 3,352,526 |
| Percent of DCA Filings to Trial Court Filings | 0.66% | 0.66% | 0.64% | 0.69% | 0.74% |

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--|-----------|-----------|-----------|-----------|-----------|
| DCA Filings | 23,733 | 22,476 | 21,184 | 20,259 | 17,785 |
| Trial Court Filings | 3,212,148 | 3,144,705 | 3,426,339 | 3,580,172 | 2,974,726 |
| Percent of DCA Filings to Trial Court Filings | 0.74% | 0.71% | 0.62% | 0.57% | 0.60% |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
DCA Filings vs Trial Court Filings
Fiscal Year 2015-16, 2016-17, 2017-18, 2018-19, and 2019-20
Additional Data Request

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--|-----------|-----------|-----------|-----------|-----------|
| DCA Filings | 23,733 | 22,476 | 21,184 | 20,259 | 17,785 |
| Trial Court Filings | 3,212,148 | 3,144,705 | 3,426,339 | 3,580,172 | 2,974,726 |
| Percent of DCA Filings to Trial Court Filings | 0.74% | 0.71% | 0.62% | 0.57% | 0.60% |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
Filings and Dispositions
Fiscal Year 2017-18, 2018-19, 2019-20, and 2020-21
Additional Data Request

| Filings | FY 17-18 | FY 18-19 | FY 19-20 | FY 20-21 |
|----------------|---------------|---------------|---------------|---------------|
| Notices | 16,461 | 15,742 | 13,627 | 11,191 |
| Petitions | 4,734 | 4,541 | 4,156 | 3,323 |
| Unknown | 2 | 3 | 2 | 0 |
| Total | 21,197 | 20,286 | 17,785 | 14,514 |

| Dispositions | FY 17-18 | FY 18-19 | FY 19-20 | FY 20-21 |
|---------------------|---------------|---------------|---------------|---------------|
| Notices | 16,979 | 16,038 | 15,866 | 12,611 |
| Petitions | 4,696 | 4,496 | 4,371 | 3,362 |
| Unknown | 5 | 1 | 2 | 0 |
| Total | 21,680 | 20,535 | 20,239 | 15,973 |

Notes:

1. FY 2020-21 data provided through May 26, 2021
2. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
DCA Cases Filed and Manner of Disposition
Fiscal Year 2017-18, 2018-19, 2019-20, and 2020-21
Additional Data Request

| | FY 17-18 | FY 18-19 | FY 19-20 | FY 20-21 ¹ |
|---------------------------|----------|----------|----------|-----------------------|
| Total Cases Filed | 21,178 | 20,286 | 17,785 | 14,514 |
| | | | | |
| Total Authored Opinions | 1,649 | 1,596 | 1,702 | 1,554 |
| Total Citation | 602 | 622 | 674 | 493 |
| Total Order by Clerk | 2,898 | 2,888 | 2,912 | 2,454 |
| Total Order by Judge | 6,166 | 5,719 | 5,235 | 4,054 |
| Total PC Denied | 363 | 362 | 300 | 264 |
| Total Per Curiam Affirmed | 8,716 | 7,972 | 8,056 | 5,971 |
| Total Per Curiam Opinions | 1,286 | 1,376 | 1,360 | 1,183 |
| Total Cases Disposed | 21,680 | 20,535 | 20,239 | 15,973 |

Notes:

1. FY 20-21 data contains case information from July 1, 2020 through May 26, 2021.
2. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****DCA Cases Filed and Manner of Disposition****Fiscal Year 2017-18, 2018-19, and 2019-20****Additional Data Request**

| | 2017-18 | | | | |
|---------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Total Cases Filed | 5,526 | 5,010 | 2,622 | 3,893 | 4,146 |
| | | | | | |
| Total Authored Opinions | 298 | 335 | 410 | 459 | 147 |
| Total Citation | 105 | 291 | 99 | 75 | 32 |
| Total Order by Clerk | 437 | 470 | 300 | 964 | 727 |
| Total Order by Judge | 1,497 | 1,693 | 880 | 1,052 | 1,044 |
| Total PC Denied | 303 | 57 | 1 | 1 | 1 |
| Total Per Curiam Affirmed | 1,923 | 2,233 | 887 | 1,735 | 1,938 |
| Total Per Curiam Opinions | 528 | 133 | 113 | 175 | 337 |
| Total Cases Disposed | 5,091 | 5,212 | 2,690 | 4,461 | 4,226 |

| | 2018-19 | | | | |
|---------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Total Cases Filed | 4,974 | 4,980 | 2,590 | 3,879 | 3,863 |
| | | | | | |
| Total Authored Opinions | 264 | 325 | 408 | 420 | 179 |
| Total Citation | 127 | 208 | 185 | 58 | 44 |
| Total Order by Clerk | 572 | 460 | 271 | 814 | 771 |
| Total Order by Judge | 1,279 | 1,746 | 965 | 939 | 790 |
| Total PC Denied | 292 | 70 | - | - | - |
| Total Per Curiam Affirmed | 1,935 | 2,063 | 813 | 1,379 | 1,782 |
| Total Per Curiam Opinions | 555 | 93 | 193 | 163 | 372 |
| Total Cases Disposed | 5,024 | 4,965 | 2,835 | 3,773 | 3,938 |

| | 2019-20 | | | | |
|---------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Total Cases Filed | 4,318 | 4,542 | 2,186 | 3,417 | 3,328 |
| | | | | | |
| Total Authored Opinions | 286 | 391 | 425 | 319 | 281 |
| Total Citation | 143 | 215 | 234 | 49 | 33 |
| Total Order by Clerk | 692 | 469 | 213 | 801 | 736 |
| Total Order by Judge | 904 | 1,726 | 817 | 1,012 | 776 |
| Total PC Denied | 236 | 64 | - | - | - |
| Total Per Curiam Affirmed | 2,093 | 2,214 | 559 | 1,422 | 1,769 |
| Total Per Curiam Opinions | 594 | 94 | 187 | 170 | 315 |
| Total Cases Disposed | 4,948 | 5,173 | 2,435 | 3,773 | 3,910 |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
DCA Filings With Oral Argument vs Without Oral Argument
Fiscal Year 2017-18, 2018-19, and 2019-20
Additional Data Request

| DCA | FY 17-18 Cases w/OA | FY 17-18 Cases wo/OA | FY 17-18 Percent of Cases w/OA | FY 18-19 Cases w/OA | FY 18-19 Cases wo/OA | FY 18-19 Percent of Cases w/OA | FY 19-20 Cases w/OA | FY 19-20 Cases wo/OA | FY 19-20 Percent of Cases w/OA |
|---------|------------------------|----------------------------|--------------------------------------|------------------------|----------------------------|--------------------------------------|------------------------|----------------------------|--------------------------------------|
| 1st DCA | 231 | 4,860 | 4.8% | 183 | 4,841 | 3.8% | 142 | 4,805 | 3.0% |
| 2nd DCA | 420 | 4,774 | 8.8% | 399 | 4,566 | 8.7% | 357 | 4,816 | 7.4% |
| 3rd DCA | 512 | 2,178 | 23.5% | 513 | 2,322 | 22.1% | 218 | 2,217 | 9.8% |
| 4th DCA | 194 | 4,251 | 4.6% | 165 | 3,595 | 4.6% | 117 | 3,637 | 3.2% |
| 5th DCA | 254 | 3,972 | 6.4% | 254 | 3,684 | 6.9% | 223 | 3,688 | 6.0% |
| Total | 1,611 | 20,035 | 8.0% | 1,514 | 19,008 | 8.0% | 1,057 | 19,163 | 5.5% |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
DCA Filings and Population Trends and Forecasts
Calendar Year 2016, 2017, 2018, 2019, 2020, 2025, and 2030
Additional Data Request

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2025 | 2030 |
|------------------------------|------------|------------|------------|------------|------------|------------|------------|
| DCA Filings | 23,358 | 21,561 | 20,936 | 20,007 | 15,053 | * | * |
| DCA Filings per 100,000 Pop. | 116 | 105 | 100 | 94 | 70 | * | * |
| Population | 20,148,654 | 20,484,142 | 20,840,568 | 21,208,589 | 21,596,068 | 23,138,553 | 24,419,127 |

Notes:

1. 2016-2019 Population Link: <http://edr.state.fl.us/content/local-government/data/data-a-to-z/FLrevsharepops.xls>
2. 2020 Population Link: http://edr.state.fl.us/content/population-demographics/data/MediumProjections_2020.pdf
3. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee

County Court Appeals to DCA

January 1, 2021 through May 15, 2021

Additional Data Request

| County Appeals - All Cases | | | | | |
|---|-------------|------------|------------|------------|------------|
| Case Type | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| County Certiorari | 2 | 1 | 6 | 36 | 17 |
| County Civil | 45 | 106 | 166 | 243 | 124 |
| County Criminal Misdemeanor | 20 | 55 | 15 | 64 | 32 |
| County Criminal Traffic | 14 | 23 | 5 | 37 | 12 |
| County Habeas | 3 | 3 | 0 | 1 | 0 |
| County Mandamus | 3 | 0 | 2 | 3 | 2 |
| County Prohibition | 1 | 3 | 3 | 2 | 6 |
| County Small Claims | 48 | 45 | 158 | 287 | 55 |
| Total County Appeal Cases by DCA | 136 | 236 | 355 | 673 | 248 |
| Total County Appeals | 1648 | | | | |

| County Appeals - Active Cases | | | | | |
|----------------------------------|-------------|------------|------------|------------|------------|
| Case Type | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| County Certiorari | 1 | 1 | 6 | 18 | 14 |
| County Civil | 28 | 73 | 122 | 146 | 93 |
| County Criminal Misdemeanor | 16 | 42 | 8 | 47 | 19 |
| County Criminal Traffic | 12 | 19 | 2 | 25 | 9 |
| County Habeas | 2 | 2 | 0 | 0 | 0 |
| County Mandamus | 0 | 0 | 1 | 2 | 2 |
| County Prohibition | 1 | 2 | 1 | 1 | 2 |
| County Small Claims | 32 | 33 | 115 | 204 | 42 |
| Total Active Cases by DCA | 92 | 172 | 255 | 443 | 181 |
| Total Active Cases | 1143 | | | | |

| County Appeals - Disposed Cases | | | | | |
|------------------------------------|------------|-----------|------------|------------|-----------|
| Case Type | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| County Certiorari | 1 | 0 | 0 | 18 | 3 |
| County Civil | 17 | 33 | 44 | 97 | 31 |
| County Criminal Misdemeanor | 4 | 13 | 7 | 17 | 13 |
| County Criminal Traffic | 2 | 4 | 3 | 12 | 3 |
| County Habeas | 1 | 1 | 0 | 1 | 0 |
| County Mandamus | 3 | 0 | 1 | 1 | 0 |
| County Prohibition | 0 | 1 | 2 | 1 | 4 |
| County Small Claims | 16 | 12 | 43 | 83 | 13 |
| Total Disposed Cases by DCA | 44 | 64 | 100 | 230 | 67 |
| Total Disposed Cases | 505 | | | | |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

**DCA Workload and Jurisdiction Assessment Committee
Summary Reporting System (SRS)
Statewide County Civil and Criminal Appeals to Circuit Court
Fiscal Year 2009-10 through 2019-20
Additional Data Request**

| Fiscal Year | County Criminal Appeals to Circuit | County Civil Appeals to Circuit | Total |
|-------------|------------------------------------|---------------------------------|-------|
| 09-10 | 717 | 980 | 1,697 |
| 10-11 | 749 | 1,438 | 2,187 |
| 11-12 | 522 | 1,190 | 1,712 |
| 12-13 | 455 | 924 | 1,379 |
| 13-14 | 487 | 1,068 | 1,555 |
| 14-15 | 491 | 1,400 | 1,891 |
| 15-16 | 499 | 1,683 | 2,182 |
| 16-17 | 455 | 1,512 | 1,967 |
| 17-18 | 388 | 1,601 | 1,989 |
| 18-19 | 511 | 1,613 | 2,124 |
| 19-20 | 284 | 1,030 | 1,314 |

Notes:

1. Fiscal year 2009-10 through 2019-20 data from a static data set and represent the official trial court statistics.
2. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee**DCA Workload and Jurisdiction Assessment Committee****Key Statistics****Fiscal Year 2005-06 vs 2019-20****Additional Data Request**

| | FY 2005-06 | FY 2019-20 | Percent Change From FY 05-06 to 19-20 |
|---|------------|------------|--|
| Total Filings | 25,035 | 17,785 | -40.8% |
| Total Dispositions | 24,985 | 20,274 | -23.2% |
| Weighted Workload Per Judge | 291 | 250 | -16.4% |
| Population | 18,154,475 | 21,596,068 | 15.9% |
| Filings Per 100,000 Population | 138 | 82 | -68.3% |
| Number of DCA Judges | 62 | 64 | 3.1% |
| Percent Disposed With OA | 8.5% | 5.5% | -54.5% |
| Percent of Cases Disposed Within 180 Days of Oral Argument (Criminal) | 98.2% | 96.0% | -2.3% |
| Percent of Cases Disposed Within 180 Days of Oral Argument (Non-Criminal) | 95.4% | 93.6% | -1.9% |
| Clearance Rate | 99.8% | 113.8% | 12.3% |
| Median Number of Days from Filing to | 161 | 193 | 16.6% |
| Pending Cases | 14,562 | 12,223 | -19.1% |
| Law Clerks and Central Staff Attorneys Per Judge | 2.7 | 2.7 | 0.0% |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee

Pro Se DCA Filings

Fiscal Year 2017-18, 2018-19, and 2019-20

Additional Data Request

| DCA | FY 17-18 Total Filings | FY 17-18 Pro Se Filings | FY 17-18 Percent of Pro Se Filings | FY 18-19 Total Filings | FY 18-19 Pro Se Filings | FY 18-19 Percent of Pro Se Filings | FY 19-20 Total Filings | FY 19-20 Pro Se Filings | FY 19-20 Percent of Pro Se Filings |
|---------|---------------------------|-------------------------------|---|---------------------------|-------------------------------|---|---------------------------|-------------------------------|---|
| 1st DCA | 5,537 | 3,210 | 58.0% | 4,981 | 2,705 | 54.3% | 4,321 | 2,470 | 57.2% |
| 2nd DCA | 5,010 | 2,521 | 50.3% | 4,980 | 2,432 | 48.8% | 4,543 | 2,354 | 51.8% |
| 3rd DCA | 2,622 | 1,011 | 38.6% | 2,590 | 1,071 | 41.4% | 2,186 | 839 | 38.4% |
| 4th DCA | 3,915 | 1,561 | 39.9% | 3,914 | 1,565 | 40.0% | 3,444 | 1,407 | 40.9% |
| 5th DCA | 4,152 | 2,047 | 49.3% | 3,877 | 2,048 | 52.8% | 3,339 | 1,749 | 52.4% |
| Total | 21,236 | 10,350 | 48.7% | 20,342 | 9,821 | 48.3% | 17,833 | 8,819 | 49.5% |

Note: DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

Timeliness

DISTRICT COURTS OF APPEAL

Percent of Criminal Appeals and Petitions Disposed Within 180 Days of Oral Argument

Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|----------|---------|---------|---------|---------|---------|
| First | 96.9% | 96.5% | 91.4% | 90.0% | 89.7% |
| Second | 97.8% | 97.4% | 97.4% | 97.9% | 98.3% |
| Third | 98.2% | 98.8% | 96.5% | 97.0% | 95.1% |
| Fourth | 98.8% | 99.4% | 98.9% | 99.0% | 99.8% |
| Fifth | 98.3% | 98.8% | 99.3% | 98.6% | 98.7% |
| Total | 98.0% | 98.1% | 96.7% | 96.3% | 96.0% |

DISTRICT COURTS OF APPEAL

Percent of Non-Criminal Appeals and Petitions Disposed Within 180 Days of Oral Argument

Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|----------|---------|---------|---------|---------|---------|
| First | 97.8% | 96.1% | 90.4% | 83.5% | 84.2% |
| Second | 94.3% | 94.7% | 93.7% | 93.1% | 94.3% |
| Third | 94.9% | 94.2% | 92.7% | 87.7% | 91.8% |
| Fourth | 97.9% | 96.0% | 98.8% | 98.9% | 99.6% |
| Fifth | 97.3% | 95.3% | 97.4% | 98.7% | 97.5% |
| Total | 96.5% | 95.3% | 94.7% | 92.0% | 93.6% |

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee
Average Case Times (In Days) for All Criminal and Civil Notices and Petitions
Fiscal Year 2017-18, 2018-19, and 2019-20
Additional Data Request

| | 2017-18 | | | | |
|-------------------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Number of Cases Disposed | 2,150 | 1,852 | 1,069 | 1,717 | 2,173 |
| Average Filed to Perfected | 152 | 287 | 184 | 251 | 183 |
| Average Perfection to OA Conference | 82 | 131 | 45 | 63 | 47 |
| Average OA Conference to Disposed | 47 | 38 | 56 | 23 | 24 |
| Average Filed to Disposed | 281 | 456 | 285 | 338 | 253 |
| Average Perfected to Disposed | 129 | 169 | 101 | 87 | 70 |

| | 2018-19 | | | | |
|-------------------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Number of Cases Disposed | 2,329 | 1,667 | 1,087 | 1,415 | 1,968 |
| Average Filed to Perfected | 158 | 298 | 175 | 219 | 188 |
| Average Perfection to OA Conference | 137 | 142 | 41 | 51 | 60 |
| Average OA Conference to Disposed | 53 | 37 | 66 | 19 | 27 |
| Average Filed to Disposed | 347 | 477 | 282 | 288 | 275 |
| Average Perfected to Disposed | 189 | 179 | 107 | 69 | 87 |

| | 2019-20 | | | | |
|-------------------------------------|---------|---------|---------|---------|---------|
| | 1st DCA | 2nd DCA | 3rd DCA | 4th DCA | 5th DCA |
| Number of Cases Disposed | 2,560 | 1,671 | 942 | 1,393 | 2,015 |
| Average Filed to Perfected | 173 | 300 | 171 | 198 | 185 |
| Average Perfection to OA Conference | 114 | 153 | 26 | 54 | 56 |
| Average OA Conference to Disposed | 57 | 40 | 70 | 16 | 33 |
| Average Filed to Disposed | 344 | 492 | 266 | 268 | 273 |
| Average Perfected to Disposed | 171 | 193 | 95 | 70 | 89 |

Note:

DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.

Cases Disposed is comprised of a subset of all cases disposed and includes only those coded as criminal and civil .

Judicial Residency and Demographic Information

64 Existing District Court of Appeal Judges by Residence

| DCA | Judge¹ | Current Circuit and County of Residence | Circuit and County of Residence at Time of Application/Appointment |
|--|--------------------------|--|---|
| First District Court of Appeal (1st, 2nd, 3rd, 4th, 8th, and 14th Circuits): 15 Authorized Judgeships | | | |
| 1DCA | 1 | 2 ND CIRCUIT; LEON | 1 ST CIRCUIT; SANTA ROSA |
| 1DCA | 2 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 3 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 4 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 5 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 6 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 7 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 8 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 9 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 10 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 11 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 12 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 13 | 2 ND CIRCUIT; LEON | SAME |
| 1DCA | 14 | 4 TH CIRCUIT; DUVAL | SAME |
| 1DCA | 15 | 4 TH CIRCUIT; DUVAL | SAME |
| Second District Court of Appeal (6th, 10th, 12th, 13th, and 20th Circuits): 16 Authorized Judgeships | | | |
| 2DCA | 1 | 6 TH CIRCUIT; PINELLAS | SAME |
| 2DCA | 2 | 6 TH CIRCUIT; PASCO | SAME |
| 2DCA | 3 | 6 TH CIRCUIT; PINELLAS | SAME |
| 2DCA | 4 | 6 TH CIRCUIT; PINELLAS | SAME |
| 2DCA | 5 | 10 TH CIRCUIT; POLK | SAME |
| 2DCA | 6 | 10 TH CIRCUIT; POLK | SAME |

¹ Assigned numbers are of no significance. They correspond to the total number of authorized judgeships for each district court of appeal.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Judge¹ | Current Circuit and County of Residence | Circuit and County of Residence at Time of Application/Appointment |
|---|--------------------------|--|---|
| 2DCA | 7 | 10 TH CIRCUIT; POLK | 6 TH CIRCUIT; PASCO |
| 2DCA | 8 | 12 TH CIRCUIT; MANATEE | 20 TH CIRCUIT; CHARLOTTE |
| 2DCA | 9 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 10 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 11 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 12 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 13 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 14 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 15 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| 2DCA | 16 | 13 TH CIRCUIT; HILLSBOROUGH | SAME |
| Third District Court of Appeal (11th and 16th Circuits): 10 Authorized Judgeships | | | |
| 3DCA | 1 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 2 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 3 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 4 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 5 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 6 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 7 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 8 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 9 | 11 TH CIRCUIT; MIAMI-DADE | SAME |
| 3DCA | 10 | 16 TH CIRCUIT; MONROE | SAME |
| Fourth District Court of Appeal (15th, 17th, and 19th Circuits): 12 Authorized Judgeships | | | |
| 4DCA | 1 | 15 TH CIRCUIT; PALM BEACH | SAME |
| 4DCA | 2 | 15 TH CIRCUIT; PALM BEACH | SAME |
| 4DCA | 3 | 15 TH CIRCUIT; PALM BEACH | SAME |
| 4DCA | 4 | 15 TH CIRCUIT; PALM BEACH | SAME |
| 4DCA | 5 | 15 TH CIRCUIT; PALM BEACH | SAME |
| 4DCA | 6 | 15 TH CIRCUIT; PALM BEACH | 17 TH CIRCUIT; BROWARD |
| 4DCA | 7 | 17 TH CIRCUIT; BROWARD | SAME |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Judge¹ | Current Circuit and County of Residence | Circuit and County of Residence at Time of Application/Appointment |
|---|--------------------------|--|---|
| 4DCA | 8 | 17 TH CIRCUIT; BROWARD | SAME |
| 4DCA | 9 | 19 TH CIRCUIT; ST. LUCIE | SAME |
| 4DCA | 10 | 19 TH CIRCUIT; MARTIN | SAME |
| 4DCA | 11 | 19 TH CIRCUIT; MARTIN | SAME |
| 4DCA | 12 | 19 TH CIRCUIT; MARTIN | SAME |
| Fifth District Court of Appeal (5th, 7th, 9th, and 18th Circuits): | | | 11 Authorized Judgeships |
| 5DCA | 1 | 5 TH CIRCUIT; MARION | SAME |
| 5DCA | 2 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 3 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 4 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 5 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 6 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 7 | 9 TH CIRCUIT; ORANGE | SAME |
| 5DCA | 8 | 18 TH CIRCUIT; SEMINOLE | SAME |
| 5DCA | 9 | 18 TH CIRCUIT; SEMINOLE | 9 TH CIRCUIT; ORANGE |
| 5DCA | 10 | 18 TH CIRCUIT; BREVARD | SAME |
| 5DCA | 11 | 18 TH CIRCUIT; BREVARD | SAME |

Sample Recent JNC Application Pools

| DCA | Applicant¹ | Primary Practice Circuit at Time of Application |
|--|------------------------------|--|
| Second District Court of Appeal (6th, 10th, 12th, 13th, and 20th Circuits): 2 Vacancies in Summer 2020; 43 Interviewees | | |
| 2DCA | 1 (COUNTY JUDGE) | 6 TH CIRCUIT |
| 2DCA | 2 (CIRCUIT JUDGE) | 6 TH CIRCUIT |
| 2DCA | 3 (ATTORNEY) | 6 TH CIRCUIT |
| 2DCA | 4 (ATTORNEY) | 6 TH CIRCUIT |
| 2DCA | 5 (ATTORNEY) | 10 TH CIRCUIT |
| 2DCA | 6 (CIRCUIT JUDGE) | 10 TH CIRCUIT |
| 2DCA | 7 (CIRCUIT JUDGE) | 10 TH CIRCUIT |
| 2DCA | 8 (ATTORNEY) | 10 TH CIRCUIT |
| 2DCA | 9 (CIRCUIT JUDGE) | 10 TH CIRCUIT |
| 2DCA | 10 (ATTORNEY) | 10 TH CIRCUIT |
| 2DCA | 11 (ATTORNEY) | 10 TH CIRCUIT |
| 2DCA | 12 (CIRCUIT JUDGE) | 10 TH CIRCUIT |
| 2DCA | 13 (CIRCUIT JUDGE) | 12 TH CIRCUIT |
| 2DCA | 14 (COUNTY JUDGE) | 12 TH CIRCUIT |
| 2DCA | 15 (CIRCUIT JUDGE) | 12 TH CIRCUIT |
| 2DCA | 16 (ATTORNEY) | 12 TH CIRCUIT |
| 2DCA | 17 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 18 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 19 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 20 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 21 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 22 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 23 (CIRCUIT JUDGE) | 13 TH CIRCUIT |

¹ Assigned numbers are of no significance. They correspond to the total number of applicants interviewed. Information compiled by staff of the Office of the State Courts Administrator based on published Judicial Nominating Commission interview schedules.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Applicant¹ | Primary Practice Circuit at Time of Application |
|---|------------------------------|--|
| 2DCA | 24 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 25 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 26 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 27 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 28 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 29 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 30 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 31 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 32 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 33 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 34 (CIRCUIT JUDGE) | 13 TH CIRCUIT |
| 2DCA | 35 (ATTORNEY) | 13 TH CIRCUIT |
| 2DCA | 36 (ATTORNEY) | 20 TH CIRCUIT |
| 2DCA | 37 (ATTORNEY) | 20 TH CIRCUIT |
| 2DCA | 38 (ATTORNEY) | 20 TH CIRCUIT |
| 2DCA | 39 TBD | TBD |
| 2DCA | 40 TBD | TBD |
| 2DCA | 41 TBD | TBD |
| 2DCA | 42 TBD | TBD |
| 2DCA | 43 TBD | TBD |
| Third District Court of Appeal (11th and 16th Circuits): Vacancy in Summer 2020; 22 Interviewees | | |
| 3DCA | 1 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 2 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 3 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 4 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 5 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 6 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 7 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 8 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 9 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 10 (CIRCUIT JUDGE) | 11 TH CIRCUIT |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Applicant¹ | Primary Practice Circuit at Time of Application |
|--|------------------------------|--|
| 3DCA | 11 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 12 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 13 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 14 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 15 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 16 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 17 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 18 (ATTORNEY) | 11 TH CIRCUIT |
| 3DCA | 19 (CIRCUIT JUDGE) | 11 TH CIRCUIT |
| 3DCA | 20 (CIRCUIT JUDGE) | 16 TH CIRCUIT |
| 3DCA | 21 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 3DCA | 22 (ATTORNEY) | 17 TH CIRCUIT |
| Fourth District Court of Appeal (15th, 17th, and 19th Circuits): Vacancy in Spring 2020; 21 Interviewees | | |
| 4DCA | 1 (CIRCUIT JUDGE) | 15 TH CIRCUIT |
| 4DCA | 2 (CIRCUIT JUDGE) | 15 TH CIRCUIT |
| 4DCA | 3 (ATTORNEY) | 15 TH CIRCUIT |
| 4DCA | 4 (CIRCUIT JUDGE) | 15 TH CIRCUIT |
| 4DCA | 5 (COUNTY JUDGE) | 15 TH CIRCUIT |
| 4DCA | 6 (CIRCUIT JUDGE) | 15 TH CIRCUIT |
| 4DCA | 7 (CIRCUIT JUDGE) | 15 TH CIRCUIT |
| 4DCA | 8 (ATTORNEY) | 15 TH CIRCUIT |
| 4DCA | 9 (ATTORNEY) | 15 TH CIRCUIT |
| 4DCA | 10 (ATTORNEY) | 17 TH CIRCUIT |
| 4DCA | 11 (ATTORNEY) | 17 TH CIRCUIT |
| 4DCA | 12 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 4DCA | 13 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 4DCA | 14 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 4DCA | 15 (ATTORNEY) | 17 TH CIRCUIT |
| 4DCA | 16 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 4DCA | 17 (CIRCUIT JUDGE) | 17 TH CIRCUIT |
| 4DCA | 18 (ATTORNEY) | 17 TH CIRCUIT |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Applicant¹ | Primary Practice Circuit at Time of Application |
|---|--|--|
| 4DCA | 19 (CIRCUIT JUDGE) | 19 TH CIRCUIT |
| 4DCA | 20 (COUNTY JUDGE) | 19 TH CIRCUIT |
| 4DCA | 21 (ATTORNEY) | 19 TH CIRCUIT |
| Fifth District Court of Appeal (5th, 7th, 9th, and 18th Circuits): Vacancy in Winter 2021; 15 Interviewees (16 Initial Applicants) | | |
| 5DCA | 1 (CIRCUIT JUDGE) | 5 TH CIRCUIT |
| 5DCA | 2 (COUNTY JUDGE) | 7 TH CIRCUIT |
| 5DCA | 3 (CIRCUIT JUDGE) | 7 TH CIRCUIT |
| 5DCA | 4 (CIRCUIT JUDGE) | 7 TH CIRCUIT |
| 5DCA | 5 (ATTORNEY) | 7 TH CIRCUIT |
| 5DCA | 6 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 7 (CIRCUIT JUDGE) | 9 TH CIRCUIT |
| 5DCA | 8 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 9 (COUNTY JUDGE) | 9 TH CIRCUIT |
| 5DCA | 10 (ATTORNEY; APPOINTED AS CIRCUIT JUDGE DURING APPLICATION PROCESS; WITHDREW) | 9 TH CIRCUIT |
| 5DCA | 11 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 12 (CIRCUIT JUDGE) | 9 TH CIRCUIT |
| 5DCA | 13 (COUNTY JUDGE) | 9 TH CIRCUIT |
| 5DCA | 14 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 15 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| 5DCA | 16 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| Fifth District Court of Appeal (5th, 7th, 9th, and 18th Circuits): Vacancy in Fall 2020; 23 Interviewees (24 Initial Applicants) | | |
| 5DCA | 1 (CIRCUIT JUDGE) | 5 TH CIRCUIT |
| 5DCA | 2 (CIRCUIT JUDGE) | 5 TH CIRCUIT |
| 5DCA | 3 (CIRCUIT JUDGE) | 5 TH CIRCUIT |
| 5DCA | 4 (COUNTY JUDGE) | 7 TH CIRCUIT |
| 5DCA | 5 (CIRCUIT JUDGE) | 7 TH CIRCUIT |
| 5DCA | 6 (CIRCUIT JUDGE) | 7 TH CIRCUIT |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Applicant¹ | Primary Practice Circuit at Time of Application |
|------------|------------------------------|---|
| 5DCA | 7 (ATTORNEY) | 7 TH CIRCUIT |
| 5DCA | 8 (CIRCUIT JUDGE) | 7 TH CIRCUIT |
| 5DCA | 9 (COUNTY JUDGE) | 9 TH CIRCUIT |
| 5DCA | 10 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 11 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 12 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 13 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 14 (CIRCUIT JUDGE) | 9 TH CIRCUIT |
| 5DCA | 15 (CIRCUIT JUDGE) | 9 TH CIRCUIT |
| 5DCA | 16 (COUNTY JUDGE) | 9 TH CIRCUIT |
| 5DCA | 17 (ATTORNEY) | 9 TH CIRCUIT |
| 5DCA | 18 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| 5DCA | 19 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| 5DCA | 20 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| 5DCA | 21 (CIRCUIT JUDGE) | 18 TH CIRCUIT |
| 5DCA | 22 (MEDIATOR/ATTORNEY) | 1 ST CIRCUIT Correction Sept. 2021: 14TH CIRCUIT |
| 5DCA | 23 (ATTORNEY) | 13 TH CIRCUIT |

Sample Recent JNC Application Pools

Supplement to Materials in DCA Workload and Jurisdiction Assessment Committee Meeting Packet for July 15, 2021

| DCA | Applicant¹ | Residence at Time of Application |
|---|------------------------------|---|
| First District Court of Appeal (1st, 2nd, 3rd, 4th, 8th, and 14th Circuits): 1 Vacancy in Spring 2020; 11 Applicants | | |
| 1DCA | 1 (CIRCUIT JUDGE) | 1 ST CIRCUIT |
| 1DCA | 2 (CIRCUIT JUDGE) | 2 ND CIRCUIT |
| 1DCA | 3 (ADMINISTRATIVE LAW JUDGE) | 2 ND CIRCUIT |
| 1DCA | 4 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 5 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 6 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 7 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 8 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 9 (ATTORNEY) | 14 TH CIRCUIT |
| 1DCA | 10 (ATTORNEY) | 10 TH CIRCUIT |
| 1DCA | 11 (ATTORNEY) | 10 TH CIRCUIT |
| First District Court of Appeal (1st, 2nd, 3rd, 4th, 8th, and 14th Circuits): 2 Vacancies in Summer 2019; 26 Applicants | | |
| 1DCA | 1 (CIRCUIT JUDGE) | 1 ST CIRCUIT |
| 1DCA | 2 (COUNTY JUDGE) | 1 ST CIRCUIT |
| 1DCA | 3 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 4 (CIRCUIT JUDGE) | 2 ND CIRCUIT |
| 1DCA | 5 (ADMINISTRATIVE LAW JUDGE) | 2 ND CIRCUIT |
| 1DCA | 6 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 7 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 8 (ATTORNEY) | 2 ND CIRCUIT |

¹ Assigned numbers are of no significance. They correspond to the total number of applicants. Information compiled by staff of the Office of the State Courts Administrator based on published Judicial Nominating Commission (JNC) news releases.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| DCA | Applicant¹ | Residence at Time of Application |
|------------|------------------------------|---|
| 1DCA | 9 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 10 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 11 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 12 (ATTORNEY) | 2 ND CIRCUIT |
| 1DCA | 13 (ATTORNEY) | 3 RD CIRCUIT |
| 1DCA | 14 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 15 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 16 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 17 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 18 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 19 (CIRCUIT JUDGE) | 4 TH CIRCUIT |
| 1DCA | 20 (ATTORNEY) | 4 TH CIRCUIT |
| 1DCA | 21 (CIRCUIT JUDGE) | 8 TH CIRCUIT |
| 1DCA | 22 (COUNTY JUDGE) | 8 TH CIRCUIT |
| 1DCA | 23 (ATTORNEY) | 8 TH CIRCUIT |
| 1DCA | 24 (ATTORNEY) | 8 TH CIRCUIT |
| 1DCA | 25 (ATTORNEY) | 14 TH CIRCUIT |
| 1DCA | 26 (ATTORNEY) | 10 TH CIRCUIT |

Second District Court of Appeal JNC Application Pools and Nominees

6th, 10th, 12th, 13th, and 20th Circuits

| Applicants by County | Applicants by Circuit | Nominees by County | Nominees by Circuit |
|--|-------------------------------|---------------------------|------------------------------|
| 2 Vacancies in September/October 2014 (33 Applications and 11 Nominees) | | | |
| Hillsborough – 19 | 13 th Circuit – 19 | Hillsborough – 6 | 13 th Circuit – 6 |
| Polk – 4 | 10 th Circuit – 5 | Polk – 2 | 10 th Circuit – 2 |
| Pinellas – 3 | 6 th Circuit – 3 | Pinellas – 1 | 6 th Circuit – 1 |
| Lee – 2 | 20 th Circuit – 3 | Lee – 1 | 20 th Circuit – 1 |
| Collier – 1 | 12 th Circuit – 1 | Manatee – 1 | 12 th Circuit – 1 |
| Highlands – 1 | Unknown – 2 | | |
| Manatee – 1 | | Appointed: 2 Hillsborough | |
| Unknown – 2 (Volusia?) | | | |
| 1 Vacancy in March 2015 (18 Applications and 6 Nominees) | | | |
| Hillsborough – 10 | 13 th Circuit – 10 | Hillsborough – 2 | 13 th Circuit – 2 |
| Polk – 4 | 10 th Circuit – 4 | Polk – 2 | 10 th Circuit – 2 |
| Collier – 1 | 20 th Circuit – 2 | Lee – 1 | 20 th Circuit – 1 |
| Lee – 1 | 12 th Circuit – 1 | Manatee – 1 | 12 th Circuit – 1 |
| Manatee – 1 | 6 th Circuit – 1 | | |
| Pasco – 1 | | Appointed: Hillsborough | |
| 1 Vacancy in February/March 2016 (17 Applications and 6 Nominees) | | | |
| Hillsborough – 9 | 13 th Circuit – 9 | Hillsborough – 4 | 13 th Circuit – 4 |
| Polk – 4 | 10 th Circuit – 4 | Polk – 1 | 10 th Circuit – 1 |
| Collier – 2 | 20 th Circuit – 3 | Manatee – 1 | 12 th Circuit – 1 |
| Lee – 1 | 12 th Circuit – 1 | | |
| Manatee – 1 | | Appointed: Hillsborough | |
| 1 Vacancy in November 2017 (20 Applications and 6 Nominees) | | | |
| Hillsborough – 11 | 13 th Circuit – 11 | Hillsborough – 3 | 13 th Circuit – 3 |
| Charlotte – 3 | 20 th Circuit – 4 | Pinellas – 1 | 6 th Circuit – 1 |
| Pinellas – 2 | 6 th Circuit – 2 | Polk – 1 | 10 th Circuit – 1 |
| Polk – 2 | 10 th Circuit – 2 | Sarasota – 1 | 12 th Circuit – 1 |
| Collier – 1 | 12 th Circuit – 1 | | |
| Sarasota – 1 | | Appointed: Hillsborough | |
| | | | |

District Court of Appeal Workload and Jurisdiction Assessment Committee

| Applicants by County | Applicants by Circuit | Nominees by County | Nominees by Circuit |
|--|-------------------------------|-------------------------------------|------------------------------|
| 1 Vacancy in December 2018 (18 Applications and 6 Nominees) | | | |
| Hillsborough – 9 | 13 th Circuit – 9 | Hillsborough – 2 | 13 th Circuit – 2 |
| Polk – 3 | 10 th Circuit – 3 | Polk – 2 | 10 th Circuit – 2 |
| Charlotte – 2 | 20 th Circuit – 4 | Pinellas – 1 | 6 th Circuit – 1 |
| Collier – 2 | 6 th Circuit – 1 | Charlotte – 1 | 20 th Circuit – 1 |
| Pinellas – 1 | Unknown – 1 | | |
| Unknown – 1 | | Appointed: Polk | |
| 2 Vacancies in June 2020 (43 Applications and 12 Nominees) | | | |
| Hillsborough – 22 | 13 th Circuit – 22 | Hillsborough – 8 | 13 th Circuit – 8 |
| Polk – 7 | 10 th Circuit – 8 | Charlotte – 1 | 20 th Circuit – 2 |
| Pinellas – 4 | 6 th Circuit – 5 | Collier – 1 | 10 th Circuit – 1 |
| Manatee – 3 | 12 th Circuit – 5 | Polk – 1 | 12 th Circuit – 1 |
| Sarasota – 2 | 20 th Circuit – 3 | Sarasota – 1 | |
| Charlotte – 1 | | | |
| Collier – 1 | | Appointed: Hillsborough and Polk | |
| Highlands – 1 | | | |
| Lee – 1 | | | |
| Pasco – 1 | | | |

Source: Information obtained from notes kept by Second District Court of Appeal Judge Suzanne Labrit.

District Court of Appeal Workload and Jurisdiction Assessment Committee**Demographics for DCA Judges**

| Gender | Race Desc | District Court |
|---------------|--------------------------------------|------------------------------|
| M | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| F | White | 1ST DISTRICT COURT OF APPEAL |
| M | Black or African American | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| F | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| F | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| F | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| F | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 1ST DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| F | White | 2ND DISTRICT COURT OF APPEAL |
| F | White | 2ND DISTRICT COURT OF APPEAL |
| F | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| F | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| F | Some Other Race or Two or More Races | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 2ND DISTRICT COURT OF APPEAL |
| M | White | 3RD DISTRICT COURT OF APPEAL |
| M | White | 3RD DISTRICT COURT OF APPEAL |
| M | Hispanic or Latino | 3RD DISTRICT COURT OF APPEAL |
| F | Hispanic or Latino | 3RD DISTRICT COURT OF APPEAL |
| M | Black or African American | 3RD DISTRICT COURT OF APPEAL |
| F | White | 3RD DISTRICT COURT OF APPEAL |
| F | White | 3RD DISTRICT COURT OF APPEAL |
| M | White | 3RD DISTRICT COURT OF APPEAL |
| F | White | 3RD DISTRICT COURT OF APPEAL |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Demographics for DCA Judges

| Gender | Race Desc | District Court |
|---------------|--------------------------------------|------------------------------|
| M | White | 3RD DISTRICT COURT OF APPEAL |
| M | Hispanic or Latino | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | Some Other Race or Two or More Races | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 4TH DISTRICT COURT OF APPEAL |
| F | White | 4TH DISTRICT COURT OF APPEAL |
| F | White | 4TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| F | White | 5TH DISTRICT COURT OF APPEAL |
| F | Hispanic or Latino | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| M | White | 5TH DISTRICT COURT OF APPEAL |
| F | White | 5TH DISTRICT COURT OF APPEAL |

Other Statistics

Florida Office of the State Courts Administrator

Caseload Criteria

DISTRICT COURTS OF APPEAL

Prison Admissions

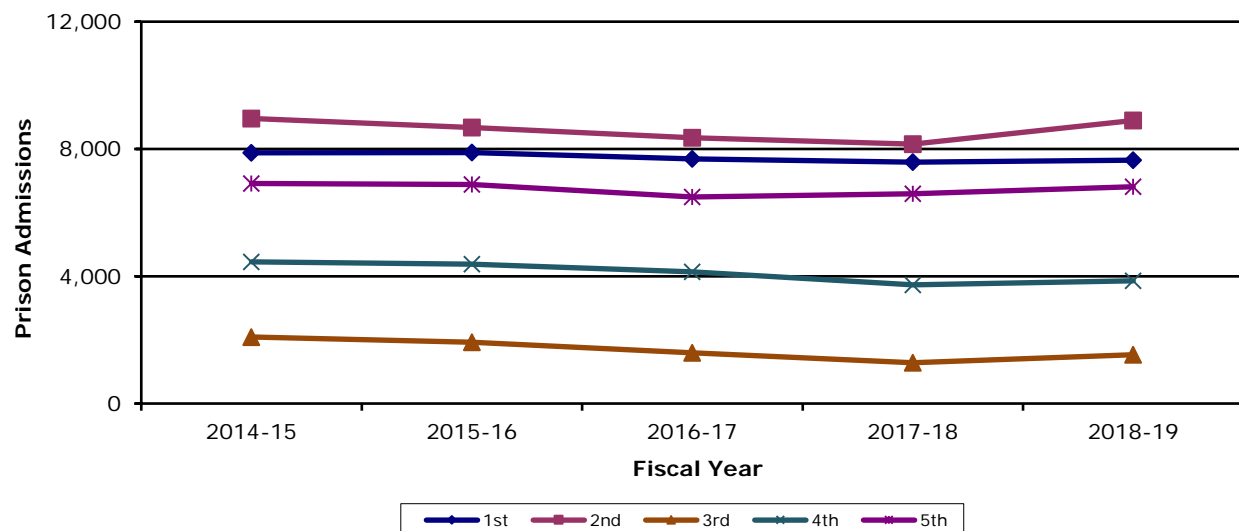
Fiscal Year 2014-15 to 2018-19

| District | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | % Change Fiscal Year 2016-17 to 2018-19 | % Change Fiscal Year 2014-15 to 2018-19 |
|----------|---------|---------|---------|---------|---------|--|--|
| First | 7,877 | 7,886 | 7,685 | 7,585 | 7,649 | -0.5% | -2.9% |
| Second | 8,958 | 8,670 | 8,351 | 8,152 | 8,897 | 6.5% | -0.7% |
| Third | 2,091 | 1,929 | 1,590 | 1,282 | 1,529 | -3.8% | -26.9% |
| Fourth | 4,452 | 4,377 | 4,137 | 3,730 | 3,859 | -6.7% | -13.3% |
| Fifth | 6,915 | 6,886 | 6,491 | 6,589 | 6,816 | 5.0% | -1.4% |
| Total | 30,293 | 29,748 | 28,254 | 27,338 | 28,750 | 1.8% | -5.1% |

DISTRICT COURTS OF APPEAL

Prison Admissions

Fiscal Year 2014-15 to 2018-19

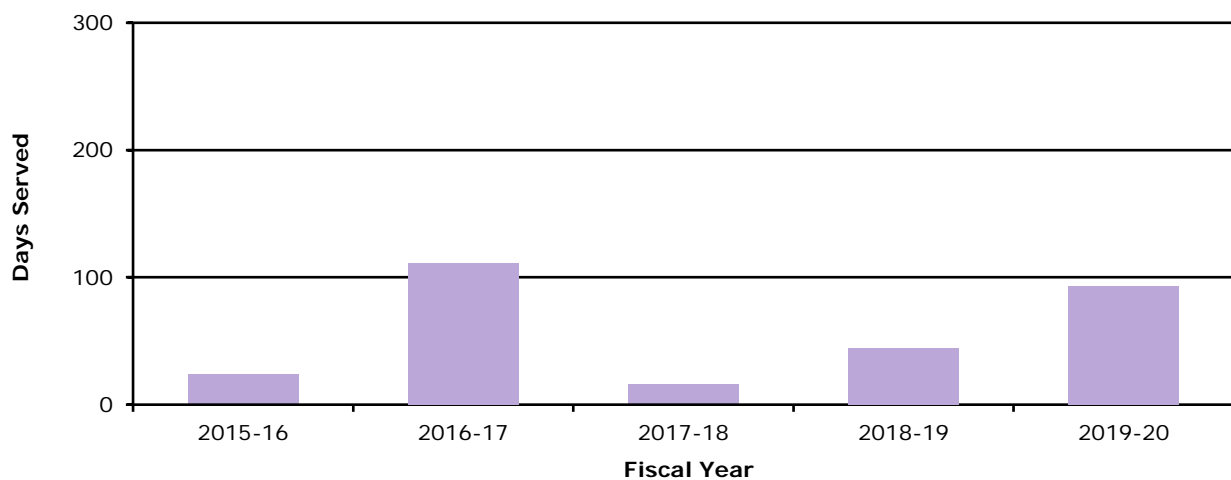


Additional Statistics

DISTRICT COURTS OF APPEAL Senior Judge Days Served as of July 14, 2020 Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | % Change Fiscal Year 2017-18 to 2019-20 | % Change Fiscal Year 2015-16 to 2019-20 |
|--------------|-----------|------------|-----------|-----------|-----------|--|--|
| First | 0 | 0 | 0 | 0 | 0 | NA | NA |
| Second | 20 | 13 | 16 | 18 | 18 | 12.5% | -10.0% |
| Third | 0 | 3 | 0 | 9 | 0 | NA | NA |
| Fourth | 0 | 1 | 0 | 0 | 0 | NA | NA |
| Fifth | 4 | 94 | 0 | 17 | 75 | NA | 1775.0% |
| Total | 24 | 111 | 16 | 44 | 93 | 481.3% | 287.5% |

DISTRICT COURTS OF APPEAL Senior Judge Days Served as of July 14, 2020 Fiscal Year 2015-16 to 2019-20



Florida Office of the State Courts Administrator

Additional Statistics

**DISTRICT COURTS OF APPEAL
Judicial Support
Fiscal Year 2019-20**

| District | In-Suite Law Clerks | Central Staff Attorneys | Administrative - Central Staff Supervisors & Clerical Staff | Judges | In-Suite Law Clerks & Central Staff Attorneys Per Judge |
|-----------------|--------------------------------|------------------------------------|--|---------------|--|
| First | 30 | 13 | 6 | 15 | 2.9 |
| Second | 32 | 10 | 4 | 16 | 2.6 |
| Third | 20 | 3 | 0 | 10 | 2.3 |
| Fourth | 24 | 11 | 2 | 12 | 2.9 |
| Fifth | 22 | 9 | 3 | 11 | 2.8 |
| Total | 128 | 47 | 15 | 64 | 2.7 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee

Model Time Standards for State Appellate Courts

Additional Data Request

Model appellate time standards for intermediate appellate courts.

A joint project of the Court Management Committee of the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA), in conjunction with participation from the Conference of Chief Judges of the State Courts of Appeal (CCJSCA), the National Conference of Appellate Court Clerks (NCACC) and the American Bar Association (ABA).

| Case Types | | Starting Event | Ending Event | Time Standards (in days) | |
|----------------------|-------------------------------|-------------------------|----------------------|--------------------------|-----|
| | | | | 75% | 95% |
| Review by Permission | Civil | Filing Initial Document | Grant/ Deny Decision | 150 | 180 |
| | Criminal | Filing Initial Document | Grant/ Deny Decision | 150 | 180 |
| Review Granted | Civil | Grant/ Deny Decision | Disposition | 240 | 270 |
| | Criminal | Grant/ Deny Decision | Disposition | 300 | 420 |
| Appeal by Right | Civil | Filing Initial Document | Disposition | 390 | 450 |
| | Criminal (exc. death penalty) | Filing Initial Document | Disposition | 450 | 600 |

ABA overall appellate time standards.

(Overall time standard generally applicable to all types of cases in the court, measured from filing to disposition.)

| | |
|-----------------|-----------------|
| 75th Percentile | 95th Percentile |
| 290 days | 365 days |

Florida Statewide DCA Statistics for FY 2019-20 (cases disposed only)

| | |
|--|-------|
| Median Days from Filing to Perfection | 139 |
| Median Days from Filing to Conference/Oral Argument | 253 |
| Median Days from Filing to Disposition | 193 |
| Median Days from Perfection to Conference/Oral Argument | 106 |
| Median Days from Conference/Oral Argument to Disposition | 21 |
| Percentage of Cases Disposed within 180 Days of Conference/Oral Argument | 95.1% |

Florida Statewide DCA Statistics for FY 2019-20 (cases disposed on the merits only)

| | |
|--|-------|
| Median Days from Filing to Perfection | 168 |
| Median Days from Filing to Conference/Oral Argument | 265 |
| Median Days from Filing to Disposition | 280 |
| Median Days from Perfection to Conference/Oral Argument | 106 |
| Median Days from Conference/Oral Argument to Disposition | 21 |
| Percentage of Cases Disposed within 180 Days of | 94.9% |

Notes:

1. DCA statistics may be affected by the date the information is accessed due to the dynamic nature of the data and the specific parameters and data elements selected.
2. Information from: Model Time Standards for State Appellate Courts
https://www.courttools.org/_data/assets/pdf_file/0015/9321/model_time_standards_for_state_appellate_courts.pdf

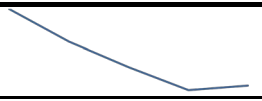
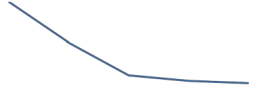
Summary Report System
Circuit Civil - Disposition - Pursuant to Settlement and
Pursuant to Mediated Settlement
Fiscal Year 2015-16 through 2019-20

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|---------------------------------|---------|---------|---------|---------|---------|
| Pursuant to Settlement | 16,436 | 17,235 | 19,534 | 24,622 | 30,507 |
| Pursuant to Mediated Settlement | 3,735 | 3,985 | 4,430 | 5,070 | 6,464 |

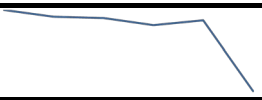
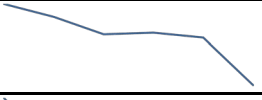
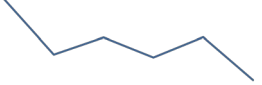
Note: Data provided was extracted from a static database and represent the official trial court statistics.

District Court of Appeal Workload and Jurisdiction Assessment Committee

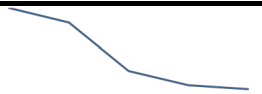
Intermediate Appellate Courts of Appeal - Other States
Illinois (IL), Texas (TX), California (CA), and New York (NY)
Filings, Dispositions, Pending, and Contested Matters
Year 2015 through 2020

| IL Intermediate Appellate Courts | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Sparkline Visualization |
|----------------------------------|-------|-------|-------|-------|-------|---------------|---|
| Filings | 7,609 | 6,835 | 6,222 | 5,676 | 5,785 | Not Available |  |
| Dispositions | 8,134 | 7,120 | 6,300 | 6,165 | 6,103 | Not Available |  |

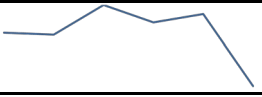

Source: http://ilcourts-2020.lrsys.co/Resources/9ce30c6e-f2c8-4990-b5b4-a1eae2db5739/2019_Statistical_Summary.pdf

| TX Intermediate Appellate Courts | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Sparkline Visualization |
|----------------------------------|--------|--------|--------|--------|--------|-------|---|
| Total Cases Added | 10,638 | 10,477 | 10,444 | 10,277 | 10,395 | 8,705 |  |
| Cases Disposed | 11,189 | 10,848 | 10,376 | 10,422 | 10,294 | 9,019 |  |
| Cases Pending | 6,749 | 6,399 | 6,506 | 6,380 | 6,509 | 6,237 |  |

Source: https://www.txcourts.gov/media/1451853/fy-20-annual-statistical-report_final_mar10_2021.pdf

| CA Intermediate Appellate Courts | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Sparkline Visualization |
|----------------------------------|--------|--------|--------|--------|--------|---------------|---|
| Total Contested Matters | 20,661 | 20,217 | 18,717 | 18,281 | 18,159 | Not Available |  |

Source: <https://www.courts.ca.gov/documents/2020-Court-Statistics-Report.pdf>

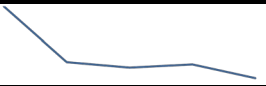
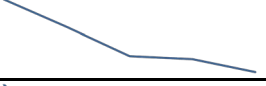

| NY Intermediate Appellate Courts | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Sparkline Visualization |
|----------------------------------|--------|--------|--------|--------|--------|--------|---|
| Filings | 9,401 | 9,359 | 9,940 | 9,603 | 9,764 | 8,359 |  |
| Dispositions | 17,940 | 16,461 | 16,405 | 14,154 | 19,094 | 15,465 |  |

Source: <http://ww2.nycourts.gov/reports/annual/index.shtml>

U.S. Courts of Appeal

Cases Commenced, Terminated, and Pending

Calendar Year 2016 through 2020

| | 2016 | 2017 | 2018 | 2019 | 2020 | Sparkline Visualization |
|------------|--------|--------|--------|--------|--------|---|
| Commenced | 59,417 | 49,816 | 48,876 | 49,421 | 47,070 |  |
| Terminated | 58,039 | 53,756 | 49,232 | 48,811 | 46,788 |  |
| Pending | 42,862 | 38,877 | 38,521 | 39,188 | 39,470 |  |





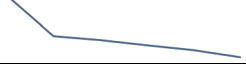

Source: <https://www.uscourts.gov/statistics-reports/analysis-reports/statistical-tables-federal-judiciary>

District Court of Appeal Workload and Jurisdiction Assessment Committee

District Courts of Appeal

Record by Page Number

Calendar Year 2020

| | | Pages | | | | | | |
|--------|-------------------------|-------|------------------|------------------|-------------------|--------------------|--------|---|
| DCA | Total Number of Records | < 100 | >= 100 and < 250 | >= 250 and < 500 | >= 500 and < 1000 | >= 1000 and < 3000 | > 3000 | Sparkline Visualization |
| 1st | 4,137 | 1,427 | 1,056 | 791 | 460 | 336 | 64 |  |
| 2nd | 887 | 349 | 192 | 133 | 118 | 85 | 8 |  |
| 3rd | 2,070 | 787 | 398 | 303 | 279 | 214 | 88 |  |
| 4th | 3,200 | 944 | 603 | 513 | 540 | 464 | 128 |  |
| 5th | 3,564 | 1,755 | 628 | 513 | 375 | 242 | 44 |  |
| TOTALS | 13,858 | 5,262 | 2,877 | 2,253 | 1,772 | 1,341 | 332 |  |

Source: Data from the Florida Courts E-Filing Portal.

Appendix

E

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3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes?

- ☐ Yes
- ☐ No
- ☐ Don't Know

3a. If yes, please select all that apply.

- ☐ Deploy new technology
- ☐ Increase ratios of support staff per judge
- ☐ Create branch locations in the district Create
- ☐ subject matter divisions in the district Create
- ☐ geographic divisions within the district Add
- ☐ judges
- ☐ Other

3b. Please explain.

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3b. Please explain.

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| |

4. The complexity of cases handled by the district court of appeal has _____ over the last three years.

| | | | |
|----------------------------|-------------------|-------------------------|------------|
| Decreased Significantly | Remained the Same | Increased Significantly | |
| ○ | ○ | ○ | ○ |
| 1 | 2 | 3 | 4 |
| | | | ○ |
| | | | 5 |
| | | | ○ |
| | | | No Opinion |

4a. Please Explain.

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5. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

| |
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Survey Note:

For the sections addressing Criteria 1 through 5 below, please answer how well the district court of appeal noted in Question 1 addresses each of the factors below based on the following scale: Strongly Disagree, Disagree, Neutral, Agree, Strongly Agree, or No Opinion.

Criteria 1. Effectiveness

6. The district court of appeal expedites appropriate cases.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

7. The district court of appeal handles its workload in a manner permitting its judges to prepare written opinions when warranted.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

8. The district court of appeal functions in a collegial manner.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

9. The district court of appeal handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

10. The district court of appeal handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

11. The district court of appeal handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

12. The district court of appeal is capable of accommodating changes in statutes or case law impacting workload or court operations.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

13. The district court of appeal handles its workload in a manner permitting its judges to serve on committees for the judicial system.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 2. Efficiency

14. The district court of appeal stays current with its caseload, as indicated by measurements such as the clearance rate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

15. The district court of appeal adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

16. The district court of appeal uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 3. Access to Appellate Review

17. Litigants, including self-represented litigants, have meaningful access to the district court of appeal for mandatory and discretionary review of cases, consistent with due process.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

18. Litigants are afforded efficient access to the district court of appeal for the filing of pleadings and for oral argument when appropriate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

19. Orders and opinions of the district court of appeal are available in a timely and efficient manner.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 4. Professionalism

20. The district court of appeal handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

21. The district court of appeal is capable of recruiting and retaining qualified staff attorneys.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

22. The district court of appeal is capable of recruiting and retaining qualified clerk, marshal, or other support staff.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

23. The district court of appeal affords staff adequate time to participate in continuing education and specialized training.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 5. Public Trust and Confidence

24. The district court of appeal handles its workload in a manner permitting its judges adequate time for community involvement.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

25. The district court of appeal provides adequate access to oral arguments and other public proceedings for the general public within its district.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

26. The district court of appeal fosters public trust and confidence given its geography.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

27. The district court of appeal fosters public trust and confidence given its demographic composition.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

28. The district court of appeal attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Thank you for taking the survey.

Non-Appellate Judges and Attorneys Opinion Survey

The Chief Justice of the Supreme Court of Florida established and charged the District Court of Appeal Workload and Jurisdiction Assessment Committee with evaluating the necessity for increasing, decreasing, or redefining the appellate districts. As specified in Rule 2.241, Florida Rules of General Practice and Judicial Administration, the Committee's recommendation will be based on five criteria (Effectiveness, Efficiency, Access to Appellate Review, Professionalism, and Public Trust and Confidence). The purpose of this survey is to obtain input pertaining to these five criteria. Your responses should be directed to the court as a whole and not to any individual judge on the court. If you would like to provide input for multiple district courts of appeal, please complete a separate survey for each. A package containing statistical information is available at www.flcourts.org/dca_assessment for reference.

All responses are anonymous; they will be compiled together and analyzed as a group. However, survey responses are public record which must be disclosed upon request.

General Information

1. Your responses are relevant to which district court of

appeal? ▼ Select:

2. What is your profession?

- ☐ Private Attorney
- ☐ Public Attorney
- ☐ Trial Judge
- ☐ Workers' Compensation Judge
- ☐ Administrative Law Judge
- ☐ Senior Judge
- ☐ Hearing Officer
- ☐ General Magistrate
- ☐ Other

3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction?

- ☐ Yes
- ☐ No
- ☐ Don't Know

3a. If yes, please select all that apply.

- ☐ Create additional district
- ☐ Merge the district into another district
- ☐ Move circuits into the district
- ☐ Move circuits out of the district
- ☐ Other

3b. Please explain.

| |
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| |
| |
| |

3b. Please explain.

| |
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| |

4. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes?

- ☐ Yes
- ☐ No
- ☐ Don't Know

4a. If yes, please select all that apply.

- ☐ Deploy new technology
- ☐ Increase ratios of support staff per judge
- ☐ Create branch locations in the district Create
- ☐ subject matter divisions in the district Create
- ☐ geographic divisions within the district Add
- ☐ judges
- ☐ Other

4b. Please explain.

| |
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| |
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| |
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| |
| |

4b. Please explain.

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5. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

| |
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| |
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Survey Note:

For the sections addressing Criteria 1 through 5 below, please answer how well the district court of appeal noted in Question 1 addresses each of the factors below based on the following scale: Strongly Disagree, Disagree, Neutral, Agree, Strongly Agree, or No Opinion.

Criteria 1. Effectiveness

6. The district court of appeal expedites appropriate cases.

| | | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------|
| Strongly Disagree | | Neutral | | Strongly Agree | | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | No Opinion |
| 1 | 2 | 3 | 4 | 5 | | |

7. The district court of appeal handles its workload in a manner permitting its judges to prepare written opinions when warranted.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

8. The district court of appeal functions in a collegial manner.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

9. The district court of appeal handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

10. The district court of appeal handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

11. The district court of appeal handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

12. The district court of appeal is capable of accommodating changes in statutes or case law impacting workload or court operations.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

13. The district court handles its workload in a manner permitting its judges to serve on committees for the judicial system.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 2. Efficiency

14. The district court of appeal stays current with its caseload, as indicated by measurements such as the clearance rate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

15. The district court of appeal adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

16. The district court of appeal uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 3. Access to Appellate Review

17. Litigants, including self-represented litigants, have meaningful access to the district court of appeal for mandatory and discretionary review of cases, consistent with due process.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

18. Litigants are afforded efficient access to the district court of appeal for the filing of pleadings and for oral argument when appropriate.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

19. Orders and opinions of the district court of appeal are available in a timely and efficient manner.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

Criteria 4. Professionalism

20. The district court of appeal handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

21. The district court of appeal is capable of recruiting and retaining qualified staff attorneys.

| | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly Disagree | | Neutral | | Strongly Agree | |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | No Opinion |

22. The district court of appeal is capable of recruiting and retaining qualified clerk, marshal, or other support staff.

| | | | | |
|----------|--|---------|--|----------------|
| Strongly | | Neutral | | Strongly Agree |
|----------|--|---------|--|----------------|

| Disagree | | | | | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

23. The district court of appeal affords staff adequate time to participate in continuing education and specialized training.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

Criteria 5. Public Trust and Confidence

24. The district court of appeal handles its workload in a manner permitting its judges adequate time for community involvement.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

25. The district court of appeal provides adequate access to oral arguments and other public proceedings for the general public within its district.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

26. The district court of appeal fosters public trust and confidence given its geography.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

27. The district court of appeal fosters public trust and confidence given its demographic composition.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

28. The district court of appeal attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district.

| Strongly Disagree | Neutral | | | Strongly Agree | No Opinion |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 1 | 2 | 3 | 4 | 5 | |

Thank you for taking the survey.

Litigant Opinion Survey

The Chief Justice of the Supreme Court of Florida established and charged the District Court of Appeal Workload and Jurisdiction Assessment Committee with evaluating the necessity for increasing, decreasing, or redefining the appellate districts. As specified in [Rule 2.241, Florida Rules of General Practice and Judicial Administration](#), the Committee's recommendation will be based on five criteria (Effectiveness, Efficiency, Access to Appellate Review, Professionalism, and Public Trust and Confidence). The purpose of this survey is to obtain input pertaining to these five criteria. Your responses should be directed to the court as a whole and not to any individual judge on the court. If you would like to provide input for multiple district courts of appeal, please complete a separate survey for each. A package containing statistical information is available at www.flcourts.org/dca_assessment for reference.

All responses are anonymous; they will be compiled together and analyzed as a group. However, survey responses are public record which must be disclosed upon request.

1. In what county in Florida do you reside?

Select: 

2. Your responses are relevant to which district court of appeal?

Select: 

3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction?

- ☐ Yes
- ☐ No
- ☐ Don't Know

3a. If yes, please select all that apply.

- ☐ Create additional district
- ☐ Merge the district into another district
- ☐ Move circuits into the district
- ☐ Move circuits out of the district
- ☐ Other

3b. Please explain.

| | |
|--|--|
| | |
| | |
| | |

3b. Please explain.

| |
|--|
| |
| |
| |

4. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes?

- ☐ Yes
- ☐ No
- ☐ Don't Know

4a. If yes, please select all that apply.

- ☐ Deploy new technology
- ☐ Increase ratios of support staff per judge
- ☐ Create branch locations in the district Create
- ☐ subject matter divisions in the district Create
- ☐ geographic divisions within the district Add
- ☐ judges
- ☐ Other

4b. Please explain.

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| |

4b. Please explain.

| |
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| |
|--|

☐ Yes

☐ No

- ☐ Administrative (for example, unemployment compensation and petition to review nonfinal agency action)
- ☐ Criminal - Post Conviction (for example, 3.800, 3.850, 3.853)
- ☐ Criminal - All Other (for example, judgment and sentence, petition regarding ineffective assistance of counsel, petition for belated appeal)
- ☐ Civil (for example, civil prisoner litigation, certiorari, mandamus)
- ☐ Family (for example, adoption)
- ☐ Juvenile Delinquency
- ☐ Juvenile Dependency (includes termination of parental rights)
- ☐ Probate/Guardianship
- ☐ Workers' Compensation

☐ Yes

☐ No

6c. Was your case handled in a timely manner by the district court of appeal?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

6d. Did you understand the decision of the district court of appeal judges that handled your case?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Not Applicable

7. Do you believe decisions made by the district court of appeal judges are fair and based on the law?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

8. Do you know where to find written documentation of decisions and other court documents from the district court of appeal?

- ☐ Yes
- ☐ Somewhat
- ☐ No

9. Do you have reasonable access to the district court of appeal building?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

10. Do you have reasonable access to view the district court of appeal court files (exhibits, documents, etc.)?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

11. Do you believe the district court of appeal promotes access to oral argument?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

12. Do you believe the district court of appeal judges and court staff treat people with respect?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

13. Do you believe the district court of appeal judges and court staff are highly skilled and able to perform their duties well?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

14. Do you believe the court staff at the district court of appeal are helpful (i.e., answer questions, provide necessary information, etc.)?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

15. Do you believe the district court of appeal fosters public trust and confidence given its geography?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

16. Do you believe the district court of appeal fosters public trust and confidence given its demographic composition?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

Thank you for taking the survey.

District Court of Appeal (DCA) Survey

The Chief Justice of the Supreme Court of Florida established the District Court of Appeal Workload and Jurisdiction Assessment Committee and charged the Committee with evaluating the necessity for increasing, decreasing, or redefining the appellate districts. The Committee's recommendation will be based on five criteria (Effectiveness, Efficiency, Access to Appellate Review, Professionalism, and Public Trust and Confidence). The purpose of this survey is to obtain input pertaining to these five criteria. Your responses should be directed to the court as a whole and not to any individual judge on the court. If you would like to provide input for multiple districts, please complete a separate survey for each. All responses are anonymous; however, survey responses are public record.

1. Responses are relevant to which district court of appeal?

- ☐ First ☐ Second ☐ Third ☐ Fourth ☐ Fifth

2. Would the DCA be improved by a change in jurisdiction?

- | | |
|---|--|
| <input type="checkbox"/> No | <input type="checkbox"/> Don't know |
| <input type="checkbox"/> Yes, create additional district | <input type="checkbox"/> Yes, merge the district into another district |
| <input type="checkbox"/> Yes, move circuits into the district | <input type="checkbox"/> Yes, move circuits out of the district |

3. Would the DCA be improved by administrative changes?

- | | |
|---|---|
| <input type="checkbox"/> No | <input type="checkbox"/> Don't know |
| <input type="checkbox"/> Yes, deploy new technology | <input type="checkbox"/> Yes, increase support staff |
| <input type="checkbox"/> Yes, create branch locations | <input type="checkbox"/> Yes, create subject matter divisions |
| <input type="checkbox"/> Yes, create geographic divisions | <input type="checkbox"/> Yes, add judges |

4. When was your latest experience with a DCA?

- ☐ Less than 3 years ago ☐ 3 to 5 years ago ☐ Over 5 years ago

5. What type of case did you file?

- ☐ Administrative
- ☐ Criminal – Post Conviction
- ☐ Criminal – All Other
- ☐ Civil
- ☐ Family
- ☐ Juvenile Delinquency
- ☐ Juvenile Dependency
- ☐ Probate/Guardianship
- ☐ Workers' Compensation

6. Were you represented by an attorney?

- ☐ Yes ☐ No

7. Was your case handled in a timely manner by the DCA?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

8. Did you understand the decision of the DCA?

☐ Yes ☐ Somewhat ☐ No ☐ Not applicable

9. Do you believe DCA decisions are fair and based on the law?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

10. Do you know where to find court documents from the DCA?

☐ Yes ☐ Somewhat ☐ No

11. Do DCA judges and staff treat people with respect?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

12. Do the DCA judges and staff perform their duties well?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

13. Do you believe the staff at the DCA are helpful?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

14. Do you believe the DCA fosters trust based on its geography?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

15. Does the DCA foster trust based on its demographic makeup?

☐ Yes ☐ Somewhat ☐ No ☐ Don't know

Public Opinion Survey

The Chief Justice of the Supreme Court of Florida established and charged the District Court of Appeal Workload and Jurisdiction Assessment Committee with evaluating the necessity for increasing, decreasing, or redefining the appellate districts. As specified in [Rule 2.241, Florida Rules of General Practice and Judicial Administration](#), the Committee's recommendation will be based on five criteria (Effectiveness, Efficiency, Access to Appellate Review, Professionalism, and Public Trust and Confidence). The purpose of this survey is to obtain input pertaining to these five criteria. Your responses should be directed to the court as a whole and not to any individual judge on the court. A package containing statistical information is available at www.flcourts.org/dca_assessment for reference.

All responses are anonymous; they will be compiled together and analyzed as a group. However, survey responses are public record which must be disclosed upon request.

1. In what county in Florida do you reside?

Select: 

2. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction?

- ☐ Yes
- ☐ No
- ☐ Don't Know

2a. If yes, please select all that apply.

- ☐ Create additional district
- ☐ Merge the district into another district
- ☐ Move circuits into the district
- ☐ Move circuits out of the district
- ☐ Other

2b. Please explain.

2b. Please explain.

[illegible]

| |
|--|
| |
| |

3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes?

- ☐ Yes
- ☐ No
- ☐ Don't Know

3a. If yes, please select all that apply.

- ☐ Deploy new technology
- ☐ Increase ratios of support staff per judge
- ☐ Create branch locations in the district Create
- ☐ subject matter divisions in the district Create
- ☐ geographic divisions within the district Add
- ☐ judges
- ☐ Other

3b. Please explain.

| |
|--|
| |
| |
| |

3b. Please explain.

| |
|--|
| |
| |

4. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

| | | |
|--|--|--|
| | | |
| | | |

5. Have you had experience with a district court of appeal within the last five years?

- ☐ Yes
- ☐ No

6. Do you believe appeals to the district court of appeal are handled in a timely manner?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

7. Do you believe the district court of appeal promotes access to oral argument?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

8. Do you know where to find written documentation of district court of appeal decisions?

- ☐ Yes
- ☐ Somewhat
- ☐ No

9. Do you understand the decisions made by the district court of appeal judges?

- ☐ Yes
- ☐ Somewhat

- ☐ No
- ☐ Not Applicable

10. Do you believe decisions made by district court of appeal judges are fair and based on the law?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

11. Do you believe district court of appeal judges and court staff treat people with respect?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

12. Do you believe district court of appeal judges and court staff are highly skilled and able to perform their duties well?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

13. Do you believe court staff at the district court of appeal are helpful (i.e., answer questions, provide necessary information, etc.)?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

14. Do you believe the district court of appeal fosters public trust and confidence given its geography?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

15. Do you believe the district court of appeal fosters public trust and confidence given its demographic composition?

- ☐ Yes
- ☐ Somewhat
- ☐ No
- ☐ Don't Know

16. Do you believe district court of appeal judges promote public trust and confidence?

- ☐ Yes

See *In re: Redefinition of Appellate Districts and Certification of Need for Additional Appellate Judges*, Case No. SC21-1543, for the response to this report.
District Court of Appeal Workload and Jurisdiction Assessment Committee

- ☐ Somewhat
- ☐ No
- ☐ Don't Know

Thank you for taking the survey.

Appendix

F

District Court of Appeal Workload and Jurisdiction Assessment Committee

DCA Workload and Jurisdiction Assessment Committee

Survey Responses

Appellate Judges

| 1. Your responses are relevant to which district court of appeal? | | |
|--|----------------------------|-------------------------|
| District | Number of Responses | Percent of Total |
| First | 15 | 23% |
| Second | 17 | 27% |
| Third | 9 | 14% |
| Fourth | 10 | 16% |
| Fifth | 13 | 20% |
| Total | 64 | 100% |

Jurisdictional Changes

| 2. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction? | | | | |
|---|------------|------------|-------------------|--------------|
| District | Yes | No | Don't Know | Total |
| First | 2 | 11 | 2 | 15 |
| Second | 1 | 11 | 5 | 17 |
| Third | 1 | 6 | 2 | 9 |
| Fourth | 2 | 7 | 1 | 10 |
| Fifth | 2 | 8 | 3 | 13 |
| Total | 8 | 43 | 13 | 64 |
| Percent | 13% | 67% | 20% | 100% |

| 2a. If yes, please select all that apply. | | | | | | |
|--|-----------------------------------|---|------------------------------------|--------------------------------------|--------------|--------------|
| District | Create additional district | Merge the district into another district | Move circuits into district | Move circuits out of district | Other | Total |
| First | 0 | 0 | 0 | 0 | 1 | 1 |
| Second | 1 | 0 | 0 | 1 | 0 | 2 |
| Third | 0 | 0 | 1 | 0 | 0 | 1 |
| Fourth | 0 | 0 | 0 | 1 | 1 | 2 |
| Fifth | 1 | 0 | 1 | 0 | 0 | 2 |
| Total | 2 | 0 | 2 | 2 | 2 | 8 |
| Percent | 25% | 0% | 25% | 25% | 25% | 100% |

Summary of Comments on Changing Jurisdiction (Summary not exhaustive; complete comments provided in materials.)

- Appellate jurisdiction should be based on subject matter rather than geography.
- In-person and residency requirements affect the applicant pool as well as collegiality on the court.
- The current jurisdictional boundaries of the district courts are appropriate.
- Removing the decision-making process from those vested in the community has the potential to erode the public trust and confidence.

DCA Workload and Jurisdiction Assessment Committee

Survey Responses

Appellate Judges

Administrative Changes

| 3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes? | | | | |
|--|-----|-----|------------|-------|
| District | Yes | No | Don't Know | Total |
| First | 5 | 4 | 6 | 15 |
| Second | 5 | 7 | 5 | 17 |
| Third | 0 | 2 | 7 | 9 |
| Fourth | 4 | 6 | 0 | 10 |
| Fifth | 2 | 3 | 8 | 13 |
| Total | 16 | 22 | 26 | 64 |
| Percent | 25% | 34% | 41% | 100% |

| 3a. If yes, please select all that apply. | | | | | | | | |
|---|-----------------------|--|---|---|---|------------|-------|-------|
| District* | Deploy new technology | Increase ratios of support staff per judge | Create branch locations in the district | Create subject matter divisions in the district | Create geographic divisions within the district | Add judges | Other | Total |
| First | 0 | 2 | 2 | 0 | 2 | 0 | 3 | 9 |
| Second | 2 | 1 | 2 | 0 | 1 | 1 | 2 | 9 |
| Fourth | 2 | 4 | 1 | 0 | 1 | 1 | 0 | 9 |
| Fifth | 1 | 1 | 1 | 0 | 1 | 0 | 1 | 5 |
| Total | 5 | 8 | 6 | 0 | 5 | 2 | 6 | 32 |
| Percent | 16% | 25% | 19% | 0% | 16% | 6% | 19% | 100% |

*No responses received from the Third District Court of Appeal.

Summary of Comments on Administrative Changes (Summary not exhaustive; complete comments provided in materials.)

- Consider requiring that some number of new appointees for the First DCA come from outside the second circuit.
- There are too many meritless appeals and abuse of the appeal process.
- Allow judges to hire law clerks instead of judicial assistants. Clerks add more value and the emphasis on assistants perpetuates an outdated hiring model. A 1:1 ratio of judge to JA is not always needed.
- District courts should have more control over their positions and salary decisions.

DCA Workload and Jurisdiction Assessment Committee

Survey Responses

Appellate Judges

Case Complexity

| 4. The complexity of cases handled by the district court of appeal has ____ over the last three years. | | | | | | | |
|--|-------------------------|--------------------|-------------------|--------------------|-------------------------|------------|-------|
| District | Significantly Decreased | Somewhat Decreased | Remained the Same | Somewhat Increased | Significantly Increased | No Opinion | Total |
| First | 0 | 1 | 6 | 6 | 2 | 0 | 15 |
| Second | 0 | 1 | 8 | 5 | 2 | 1 | 17 |
| Third | 0 | 0 | 1 | 4 | 3 | 1 | 9 |
| Fourth | 0 | 3 | 3 | 3 | 1 | 0 | 10 |
| Fifth | 0 | 0 | 8 | 1 | 0 | 4 | 13 |
| Total | 0 | 5 | 26 | 19 | 8 | 6 | 64 |
| Percent | 0% | 8% | 40% | 30% | 13% | 9% | 100% |

Summary of Comments on Case Complexity (Summary not exhaustive; complete comments provided in materials.)

- Diversity of cases has increased.
- Additional civil cases, high-profile cases, constitutional cases, cases with statewide importance, state agency cases, international cases, and commercially complex cases have increased.
- Civil appeals have decreased, so there are fewer complex appeals with long trial records.

5. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

(Summary not exhaustive; complete comments provided in materials.)

- Staffing: Provide more support and funding for law clerks; allow judges to hire clerks instead of judicial assistants; allow staff to work remotely full-time in order to recruit and retain talented law clerks.
- Boundary Changes: Move Polk County to the 5th DCA and Collier County to the 3rd DCA; move the 20th Circuit into the 3rd DCA.
- Timeliness and Process: Decisions should be issued more quickly; use of case management can help as can cooperation by all judges; more written opinions should be issued.
- Use of Technology: Continue the use of technology and remote OA's; allow for remote work by judges and staff; use of technology could allow for larger districts; technology makes geographic boundaries to jurisdiction redundant.
- Judicial Selection: Initial selection should be merit based; nominating process needs to be examined as does the merit retention; process is overly political.
- Number of Judges: Fewer judges on each DCA may be better; recommend a study to determine optimum number of judges per district.

DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Appellate Judges

Summary of Criteria-Based Questions
Average of Responses Ranked Highest to Lowest
1 - Strongly Disagree 5 - Strongly Agree



**DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Appellate Judges**

Criteria-Based Questions – Complete Responses (Average of Response Scores)

| District | 6. The DCA expedites appropriate cases. | 7. The DCA handles its workload in a manner permitting its judges to prepare written opinions when warranted. | 8. The DCA functions in a collegial manner. | 9. The DCA handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions. |
|----------------------|--|--|--|---|
| First | 3.87 | 3.93 | 3.40 | 3.87 |
| Second | 4.41 | 4.29 | 4.71 | 4.24 |
| Third | 4.75 | 4.88 | 4.63 | 4.63 |
| Fourth | 4.80 | 4.60 | 3.80 | 4.30 |
| Fifth | 4.67 | 4.67 | 4.17 | 4.64 |
| Total Average | 4.44 | 4.40 | 4.13 | 4.28 |

| District | 10. The DCA handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate. | 11. The DCA handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court. | 12. The DCA is capable of accommodating changes in statutes or case law impacting workload or court operations. | 13. The DCA handles its workload in a manner permitting its judges to serve on committees for the judicial system. |
|----------------------|--|--|--|---|
| First | 4.21 | 3.87 | 5.00 | 3.79 |
| Second | 4.47 | 4.41 | 5.00 | 4.41 |
| Third | 4.75 | 5.00 | 5.00 | 4.75 |
| Fourth | 4.40 | 4.50 | 5.00 | 4.50 |
| Fifth | 4.67 | 4.50 | 5.00 | 4.50 |
| Total Average | 4.48 | 4.39 | 5.00 | 4.34 |

**DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Appellate Judges**

| District | 14. The DCA stays current with its caseload, as indicated by measurements such as the clearance rate. | 15. The DCA adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases. | 16. The DCA uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions. | 17. Litigants, including self-represented litigants, have meaningful access to the DCA for mandatory and discretionary review of cases, consistent with due process. |
|----------------------|--|--|--|---|
| First | 3.27 | 3.33 | 4.29 | 4.73 |
| Second | 4.44 | 4.56 | 4.53 | 4.76 |
| Third | 4.50 | 4.50 | 4.88 | 4.88 |
| Fourth | 4.70 | 4.80 | 4.70 | 4.50 |
| Fifth | 4.75 | 4.64 | 4.64 | 4.67 |
| Total Average | 4.26 | 4.30 | 4.57 | 4.71 |

| District | 18. Litigants are afforded efficient access to the DCA for the filing of pleadings and for oral argument when appropriate. | 19. Orders and opinions of the DCA are available in a timely and efficient manner. | 20. The DCA handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary. | 21. The DCA is capable of recruiting and retaining qualified staff attorneys. |
|----------------------|---|---|--|--|
| First | 4.73 | 3.93 | 4.13 | 3.27 |
| Second | 4.65 | 4.53 | 4.59 | 3.88 |
| Third | 4.88 | 4.75 | 4.88 | 3.38 |
| Fourth | 4.70 | 4.70 | 4.40 | 3.40 |
| Fifth | 4.50 | 4.50 | 4.58 | 3.25 |
| Total Average | 4.68 | 4.44 | 4.48 | 3.47 |

DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Appellate Judges

| District | 22. The DCA is capable of recruiting and retaining qualified clerk, marshal, or other support staff. | 23. The DCA affords staff adequate time to participate in continuing education and specialized training. | 24. The DCA handles its workload in a manner permitting its judges adequate time for community involvement. | 25. The DCA provides adequate access to oral arguments and other public proceedings for the general public within its district. |
|----------------------|---|---|--|--|
| First | 4.33 | 4.29 | 3.86 | 4.80 |
| Second | 4.06 | 4.43 | 4.59 | 4.41 |
| Third | 3.88 | 4.80 | 4.63 | 5.00 |
| Fourth | 4.20 | 3.78 | 4.22 | 4.90 |
| Fifth | 3.83 | 4.08 | 4.33 | 4.58 |
| Total Average | 4.08 | 4.24 | 4.32 | 4.69 |

| District | 26. The DCA fosters public trust and confidence given its geography. | 27. The DCA fosters public trust and confidence given its demographic composition. | 28. The DCA attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. |
|----------------------|---|---|--|
| First | 4.15 | 4.08 | 3.47 |
| Second | 4.06 | 3.87 | 3.00 |
| Third | 4.71 | 4.63 | 4.38 |
| Fourth | 4.20 | 3.50 | 3.30 |
| Fifth | 4.20 | 3.18 | 2.82 |
| Total Average | 4.21 | 3.82 | 3.32 |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Non-Appellate Judges and Attorneys

| 1. Your responses are relevant to which district court of appeal? | | |
|--|----------------------------|-------------------------|
| District | Number of Responses | Percent of Total |
| First | 382 | 25% |
| Second | 378 | 24% |
| Third | 238 | 15% |
| Fourth | 252 | 16% |
| Fifth | 224 | 14% |
| Blank | 79 | 5% |
| Total | 1,553 | 100% |

| 2. What is your profession? | | | | | | | | | | |
|------------------------------------|-------------------------|------------------------|--------------------|--------------|------------------|-----------|----------------------------|-------------|------------------------|--------------|
| District | Private Attorney | Public Attorney | Trial Judge | Other | Sr. Judge | GM | Workers Comp. Judge | ALJ | Hearing Officer | Total |
| First | 243 | 75 | 22 | 18 | 3 | 3 | 11 | 7 | | 382 |
| Second | 223 | 86 | 37 | 21 | 5 | 4 | | 1 | | 378 |
| Third | 174 | 32 | 17 | 9 | 4 | 2 | | | | 238 |
| Fourth | 182 | 35 | 16 | 15 | | 3 | | | 1 | 252 |
| Fifth | 155 | 32 | 14 | 14 | 2 | 5 | | | 2 | 224 |
| Blank | 43 | 9 | 10 | 10 | 3 | | | | 1 | 79 |
| Total | 1,020 | 269 | 116 | 87 | 17 | 17 | 11 | 8 | 4 | 1,549 |
| Percent | 66% | 17% | 7% | 6% | 1% | 1% | .71% | .52% | .26% | 100% |

Note: Four respondents did not indicate their profession.

Jurisdiction Changes

| 3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction? | | | | | |
|---|------------|------------|-------------------|--------------|--------------|
| District | Yes | No | Don't Know | Blank | Total |
| First | 143 | 117 | 116 | 6 | 382 |
| Second | 97 | 134 | 145 | 2 | 378 |
| Third | 36 | 109 | 90 | 3 | 238 |
| Fourth | 41 | 110 | 99 | 2 | 252 |
| Fifth | 44 | 102 | 74 | 4 | 224 |
| Blank | 20 | 18 | 37 | 4 | 79 |
| Total | 381 | 590 | 561 | 21 | 1,553 |
| Percent | 25% | 38% | 36% | 1% | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Non-Appellate Judges and Attorneys

| 3a. If yes, please select all that apply? | | | | | | |
|--|-----------------------------------|--|--|---|--------------|--------------|
| District | Create Additional District | Move Circuits Out of the District | Move Circuits into the District | Merge the District into Another District | Other | Total |
| First | 115 | 34 | 18 | 18 | 16 | 201 |
| Second | 74 | 35 | 10 | 6 | 11 | 136 |
| Third | 20 | 7 | 3 | 2 | 7 | 39 |
| Fourth | 25 | 9 | 2 | 3 | 3 | 42 |
| Fifth | 27 | 7 | 7 | 3 | 8 | 52 |
| Blank | 13 | 3 | 3 | 2 | 6 | 27 |
| Total | 274 | 95 | 43 | 34 | 51 | 497 |
| Percent | 55% | 19% | 9% | 7% | 10% | 100% |

Summary of Comments on Changing Jurisdiction (Summary not exhaustive; sampling of comments provided in materials; complete comments can be provided following meeting.)

- Leave jurisdiction as is; no changes are needed.
- End the use of per curiam affirmances.
- Reconfigure the Second DCA because it is too large; move the Fifth DCA headquarters to Orlando; move the First DCA headquarters to Jacksonville; create a Sixth DCA that includes the Fourth Circuit, portions of the Third Circuit, portions of the Seventh Circuit, and the Eighth Circuit.
- Create satellite locations in large districts (Jacksonville/Tallahassee).
- Consider the impact of county appeals as it relates to workload and the need for additional judges.
- Hear workers' compensation cases in the local district, processes need to be improved.

Administrative Changes

| 4. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes? | | | | | |
|---|------------|------------|-------------------|--------------|--------------|
| District | Yes | No | Don't Know | Blank | Total |
| First | 148 | 79 | 146 | 9 | 382 |
| Second | 119 | 89 | 163 | 7 | 378 |
| Third | 74 | 67 | 94 | 3 | 238 |
| Fourth | 82 | 67 | 101 | 2 | 252 |
| Fifth | 74 | 61 | 87 | 2 | 224 |
| Blank | 21 | 19 | 33 | 6 | 79 |
| Total | 518 | 382 | 624 | 29 | 1,553 |
| Percent | 33% | 25% | 40% | 2% | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Non-Appellate Judges and Attorneys

| 4a. If yes, please select all that apply? | | | | | | | | |
|--|------------------------------|---|--|--|--|-------------------|--------------|--------------|
| District | Deploy new technology | Increase ratios of support staff per judge | Create branch locations in the district | Create subject matter divisions in the district | Create geographic divisions within the district | Add judges | Other | Total |
| First | 36 | 49 | 43 | 48 | 36 | 84 | 34 | 330 |
| Second | 51 | 46 | 47 | 44 | 33 | 59 | 17 | 297 |
| Third | 39 | 25 | 20 | 31 | 12 | 41 | 18 | 186 |
| Fourth | 36 | 34 | 18 | 29 | 19 | 44 | 17 | 197 |
| Fifth | 31 | 28 | 16 | 30 | 11 | 36 | 21 | 173 |
| Blank | 11 | 7 | 7 | 7 | 7 | 10 | 7 | 56 |
| Total | 204 | 189 | 151 | 189 | 118 | 274 | 114 | 1,239 |
| Percent | 16% | 15% | 12% | 15% | 10% | 22% | 9% | 100% |

Summary of Comments on Administrative Changes (Summary not exhaustive; sampling of comments provided in materials; complete comments can be provided following meeting.)

- End the use of per curiam affirmances.
- Grant more oral arguments.
- Provide more electronic access to documents.
- Require written opinions in most cases.
- Impose mandatory timeframes for the disposition of cases.
- Increase the diversity on the court.
- Courts should be sufficiently funded and staffed.

5. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

(Summary not exhaustive; sampling of comments provided in materials; complete comments can be provided following meeting.)

- End the use of per curiam affirmances.
- Increase access to information online.
- Depoliticize the appointment process.
- Improve the timely disposition of cases.
- Enhance the diversity of those serving on the bench.

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Non-Appellate Judges and Attorneys

Summary of Criteria-Based Questions
Average of Responses Ranked Highest to Lowest
(Range 1 - Strongly Disagree 5 - Strongly Agree)



DCA Jurisdiction and Workload Assessment Committee

Survey Responses

Non-Appellate Judges and Attorneys

Criteria-Based Questions – Complete Responses (Average of Response Scores)

| District | 6. The DCA expedites appropriate cases. | 7. The DCA handles its workload in a manner permitting its judges to prepare written opinions when warranted. | 8. The DCA functions in a collegial manner. | 9. The DCA handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions. |
|---------------|---|---|---|--|
| First | 3.24 | 3.14 | 3.72 | 3.13 |
| Second | 3.44 | 3.22 | 4.00 | 3.29 |
| Third | 3.30 | 3.23 | 3.81 | 3.07 |
| Fourth | 3.48 | 3.32 | 3.89 | 3.24 |
| Fifth | 3.43 | 3.19 | 3.68 | 3.13 |
| Blank | 3.46 | 3.40 | 3.66 | 3.31 |
| Total Average | 3.38 | 3.22 | 3.83 | 3.19 |

| District | 10. The DCA handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate. | 11. The DCA handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court. | 12. The DCA is capable of accommodating changes in statutes or case law impacting workload or court operations. | 13. The DCA handles its workload in a manner permitting its judges to serve on committees for the judicial system. |
|---------------|---|---|---|--|
| First | 3.22 | 3.29 | 3.53 | 3.54 |
| Second | 3.32 | 3.45 | 3.65 | 3.60 |
| Third | 3.23 | 3.32 | 3.58 | 3.53 |
| Fourth | 3.32 | 3.44 | 3.68 | 3.46 |
| Fifth | 3.34 | 3.42 | 3.51 | 3.42 |
| Blank | 3.29 | 3.68 | 3.39 | 3.49 |
| Total Average | 3.28 | 3.40 | 3.59 | 3.52 |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Non-Appellate Judges and Attorneys

| District | 14. The DCA stays current with its caseload, as indicated by measurements such as the clearance rate. | 15. The DCA adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases. | 16. The DCA uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions. | 17. Litigants, including self-represented litigants, have meaningful access to the district court of appeal for mandatory and discretionary review of cases, consistent with due process. |
|----------------------|--|--|--|--|
| First | 2.92 | 2.96 | 3.23 | 3.51 |
| Second | 3.23 | 3.41 | 3.44 | 3.61 |
| Third | 3.17 | 3.17 | 3.26 | 3.54 |
| Fourth | 3.39 | 3.37 | 3.32 | 3.52 |
| Fifth | 3.46 | 3.40 | 3.39 | 3.41 |
| Blank | 3.43 | 3.33 | 3.34 | 3.45 |
| Total Average | 3.22 | 3.25 | 3.33 | 3.53 |

| District | 18. Litigants are afforded efficient access to the district court of appeal for the filing of pleadings and for oral argument when appropriate. | 19. Orders and opinions of the district court of appeal are available in a timely and efficient manner. | 20. The DCA handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary. | 21. The district court of appeal is capable of recruiting and retaining qualified staff attorneys. |
|----------------------|--|--|--|---|
| First | 3.62 | 3.49 | 3.70 | 3.64 |
| Second | 3.79 | 3.69 | 3.95 | 3.66 |
| Third | 3.56 | 3.48 | 3.56 | 3.44 |
| Fourth | 3.68 | 3.73 | 3.86 | 3.47 |
| Fifth | 3.63 | 3.57 | 3.69 | 3.42 |
| Blank | 3.76 | 3.65 | 3.87 | 3.47 |
| Total Average | 3.67 | 3.60 | 3.77 | 3.54 |

DCA Jurisdiction and Workload Assessment Committee

Survey Responses

Non-Appellate Judges and Attorneys

| District | 22. The district court of appeal is capable of recruiting and retaining qualified clerk, marshal, or other support staff. | 23. The district court of appeal affords staff adequate time to participate in continuing education and specialized training. | 24. The district court of appeal handles its workload in a manner permitting its judges adequate time for community involvement. | 25. The district court of appeal provides adequate access to oral arguments and other public proceedings for the general public within its district. |
|---------------|---|---|--|--|
| First | 3.85 | 3.67 | 3.54 | 3.75 |
| Second | 3.89 | 3.68 | 3.60 | 3.90 |
| Third | 3.69 | 3.44 | 3.39 | 3.69 |
| Fourth | 3.61 | 3.39 | 3.42 | 3.83 |
| Fifth | 3.64 | 3.47 | 3.50 | 3.68 |
| Blank | 3.65 | 3.56 | 3.57 | 3.91 |
| Total Average | 3.76 | 3.55 | 3.51 | 3.79 |

| District | 26. The district court of appeal fosters public trust and confidence given its geography. | 27. The district court of appeal fosters public trust and confidence given its demographic composition. | 28. The district court of appeal attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. |
|---------------|---|---|--|
| First | 3.10 | 2.96 | 2.73 |
| Second | 3.38 | 3.24 | 3.11 |
| Third | 3.45 | 3.38 | 3.22 |
| Fourth | 3.49 | 3.15 | 2.98 |
| Fifth | 3.38 | 3.12 | 2.75 |
| Blank | 3.46 | 3.42 | 3.17 |
| Total Average | 3.34 | 3.17 | 2.97 |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Litigant

| 1. In what county in Florida do you reside? | | |
|--|----------------------------|-------------------------|
| County | Number of Responses | Percent of Total |
| Orange | 1 | 50% |
| Volusia | 1 | 50% |
| Total | 2 | 100% |

| 2. Your responses are relevant to which district court of appeal? | | |
|--|----------------------------|-------------------------|
| District | Number of Responses | Percent of Total |
| Fifth | 2 | 100% |
| Total | 2 | 100% |

Jurisdiction Changes

| 3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction? | | | | | |
|---|------------|-----------|-------------------|--------------|--------------|
| District | Yes | No | Don't Know | Blank | Total |
| Fifth | 0 | 0 | 2 | 0 | 2 |
| Total | 0 | 0 | 2 | 0 | 2 |
| Percent | 0% | 0% | 100% | 0% | 100% |

Administrative Changes

| 4. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes? | | | | | |
|---|------------|------------|-------------------|--------------|--------------|
| District | Yes | No | Don't Know | Blank | Total |
| Fifth | 0 | 1 | 1 | 0 | 2 |
| Total | 0 | 1 | 1 | 0 | 2 |
| Percent | 0% | 50% | 50% | 0% | 100% |

Summary of Comments on Administrative Changes (Summary not exhaustive; sampling of comments provided in materials; complete comments can be provided following meeting.)

- The 5th DCA is performing well.

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Litigant

5. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

(Summary not exhaustive; sampling of comments provided in materials; complete comments can be provided following meeting.)

- No complaints.
- Survey shortcomings and concerns over PCAs.

| 6. Have you had experience with the district court of appeal within the last five years? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Yes | 2 | 100% |
| No | 0 | 0% |
| Total | 2 | 100% |

| 6a. What type of case did you file? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Administrative | 0 | 0% |
| Civil | 0 | 0% |
| Criminal All Other | 1 | 33% |
| Criminal Post Conviction | 1 | 33% |
| Family | 1 | 33% |
| Juvenile Delinquency | 0 | 0% |
| Juvenile Dependency | 0 | 0% |
| Probate or Guardianship | 0 | 0% |
| Worker's Compensation | 0 | 0% |
| Total | 3 | 99% |

| 6b. Were you represented by an attorney? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 1 | 50% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Litigant

| 6c. Was your case handled in a timely manner by the district court of appeal? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 0 | 0% |
| Somewhat | 1 | 50% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 6d. Did you understand the decision of the district court of appeal judges that handled your case? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 1 | 50% |
| Not Applicable | 0 | 0% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 7. Do you believe decisions made by the district court of appeal judges are fair and based on the law? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 1 | 50% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 8. Do you know where to find written documentation of decisions and other court documents from the district court of appeal? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 0 | 0% |
| Somewhat | 0 | 0% |
| Yes | 2 | 100% |
| Total | 2 | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Litigant

| 9. Do you have reasonable access to the district court of appeal building? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 1 | 50% |
| No | 0 | 0% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 10. Do you have reasonable access to view the district court of appeal court files (exhibits, documents, etc.)? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 0 | 0% |
| Somewhat | 0 | 0% |
| Yes | 2 | 100% |
| Total | 2 | 100% |

| 11. Do you believe the district court of appeal promotes access to oral argument? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 1 | 50% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 12. Do you believe the district court of appeal judges and court staff treat people with respect? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 1 | 50% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Litigant

| 13. Do you believe the district court of appeal judges and court staff are highly skilled and able to perform their duties well? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 1 | 50% |
| Somewhat | 0 | 0% |
| Yes | 1 | 50% |
| Total | 2 | 100% |

| 14. Do you believe the court staff at the district court of appeal are helpful (i.e., answer questions, provide necessary information, etc.)? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 0 | 0% |
| Somewhat | 0 | 0% |
| Yes | 2 | 100% |
| Total | 2 | 100% |

| 15. Do you believe the district court of appeal fosters public trust and confidence given its geography? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0% |
| No | 1 | 50% |
| Somewhat | 1 | 50% |
| Yes | 0 | 0% |
| Total | 2 | 100% |

| 16. Do you believe the district court of appeal fosters public trust and confidence given its demographic composition? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 0 | 0 |
| No | 1 | 50% |
| Somewhat | 0 | 0 |
| Yes | 1 | 50% |
| Total | 2 | 100% |

**DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Florida Department of Corrections**

| 1. Responses are relevant to which district court of appeal? | | |
|---|----------------------------|-------------------------|
| District | Number of Responses | Percent of Total |
| First | 1,411 | 35% |
| Second | 959 | 24% |
| Third | 362 | 9% |
| Fourth | 584 | 14% |
| Fifth | 748 | 18% |
| Total | 4,064 | 100% |

| 2. Would the DCA be improved by a change in jurisdiction? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 997 | 25% |
| No | 961 | 24% |
| Yes, create additional district | 998 | 25% |
| Yes, merge the district into another | 360 | 9% |
| Yes, move circuits into the district | 342 | 8% |
| Yes, move circuits out of the district | 406 | 10% |
| Total | 4,064 | 101% |

| 3. Would the DCA be improved by administrative changes? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 361 | 9% |
| No | 392 | 10% |
| Yes, add judges | 803 | 20% |
| Yes, create branch locations | 129 | 3% |
| Yes, create geographic divisions | 89 | 2% |
| Yes, create subject matter divisions | 978 | 24% |
| Yes, deploy new technology | 607 | 15% |
| Yes, increase support staff | 705 | 17% |
| Total | 4,064 | 100% |

**DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Florida Department of Corrections**

| 4. When was your latest experience with a DCA? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Less than 3 years ago | 2,324 | 57% |
| 3 to 5 years ago | 686 | 17% |
| Over 5 years ago | 1,054 | 26% |
| Total | 4,064 | 100% |

| 5. What type of case did you file? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Administrative | 414 | 10% |
| Civil | 62 | 2% |
| Criminal All Other | 751 | 18% |
| Criminal Post Conviction | 2,778 | 68% |
| Family | 32 | 1% |
| Juvenile Delinquency | 16 | 0% |
| Juvenile Dependency | 2 | 0% |
| Probate or Guardianship | 4 | 0% |
| Worker's Compensation | 5 | 0% |
| Total | 4,064 | 100% |

| 6. Were you represented by an attorney? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 2,043 | 50% |
| Yes | 2,021 | 50% |
| Total | 4,064 | 100% |

**DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Florida Department of Corrections**

| 7. Was your case handled in a timely manner by the DCA? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 200 | 5% |
| No | 1,348 | 33% |
| Somewhat | 1,080 | 27% |
| Yes | 1,436 | 35% |
| Total | 4,064 | 100% |

| 8. Did you understand the decision of the DCA? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 2,008 | 49% |
| Not Applicable | 257 | 6% |
| Somewhat | 554 | 14% |
| Yes | 1,245 | 31% |
| Total | 4,064 | 100% |

| 9. Do you believe DCA decisions are fair and based on law? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 124 | 3% |
| No | 2,685 | 66% |
| Somewhat | 648 | 16% |
| Yes | 607 | 15% |
| Total | 4,064 | 100% |

| 10. Do you know where to find court documents from the DCA? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| No | 1,294 | 32% |
| Somewhat | 640 | 16% |
| Yes | 2,130 | 52% |
| Total | 4,064 | 100% |

**DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Florida Department of Corrections**

| 11. Do DCA judges and staff treat people with respect? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 694 | 17% |
| No | 1,378 | 34% |
| Somewhat | 877 | 22% |
| Yes | 1,115 | 27% |
| Total | 4,064 | 100% |

| 12. Do the DCA judges and staff perform their duties well? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 353 | 9% |
| No | 1,904 | 47% |
| Somewhat | 1,011 | 25% |
| Yes | 796 | 20% |
| Total | 4,064 | 101% |

| 13. Do you believe the staff at the DCA are helpful? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 375 | 9% |
| No | 1,741 | 43% |
| Somewhat | 931 | 23% |
| Yes | 1,017 | 25% |
| Total | 4,064 | 100% |

| 14. Do you believe the DCA fosters trust based on its geography? | | |
|---|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 702 | 17% |
| No | 1,744 | 43% |
| Somewhat | 518 | 13% |
| Yes | 1,100 | 27% |
| Total | 4,064 | 100% |

DCA Jurisdiction and Workload Assessment Committee
Survey Responses
Florida Department of Corrections

| 15. Does the DCA fosters trust based on its demographic makeup? | | |
|--|----------------------------|-------------------------|
| Response | Number of Responses | Percent of Total |
| Don't Know | 795 | 20% |
| No | 1,565 | 39% |
| Somewhat | 551 | 14% |
| Yes | 1,153 | 28% |
| Total | 4,064 | 101% |

DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Public Opinion

| 1. In what county in Florida do you reside? | | |
|--|--------------|----------------|
| County | Total | Percent |
| Alachua | 1 | 2% |
| Bay | 1 | 2% |
| Blank | 1 | 2% |
| Brevard | 2 | 4% |
| Broward | 2 | 4% |
| Clay | 2 | 4% |
| Duval | 4 | 7% |
| Hillsborough | 4 | 7% |
| Lee | 2 | 4% |
| Leon | 10 | 19% |
| Martin | 1 | 2% |
| Miami-Dade | 5 | 9% |
| Orange | 5 | 9% |
| Osceola | 1 | 2% |
| Palm Beach | 5 | 9% |
| Pinellas | 1 | 2% |
| Polk | 1 | 2% |
| St. Johns | 2 | 4% |
| Sumter | 1 | 2% |
| Volusia | 1 | 2% |
| Wakulla | 2 | 4% |
| Total | 54 | 100% |

Jurisdictional Changes

| 2. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction? | | |
|---|---------------------------|----------------|
| Options | Responses Received | Percent |
| Yes | 18 | 33% |
| No | 20 | 37% |
| Don't Know | 16 | 30% |
| Total | 54 | 100% |

DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Public Opinion

| 2a. If yes, please select all that apply. | | | | | | |
|---|----------------------------|--|-----------------------------|-------------------------------|-----------|-------------|
| Options | Create additional district | Merge the district into another district | Move circuits into district | Move circuits out of district | Other | Total |
| Total | 14 | 1 | 1 | 7 | 1 | 24 |
| Percentage | 58% | 4% | 4% | 29% | 4% | 100% |

Summary of Comments on Changing Jurisdiction (Summary not exhaustive; complete comments provided in materials.)

- Changing jurisdictions could destabilize the practice of law throughout the state.
- Jurisdiction is appropriate as is.

| 3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes? | | |
|--|--------------------|-------------|
| Options | Responses Received | Percent |
| Yes | 15 | 28% |
| No | 12 | 22% |
| Don't Know | 27 | 50% |
| Total | 54 | 100% |

| 3a. If yes, please select all that apply. | | | | | | | | |
|---|-----------------------|--|---|---|---|------------|------------|-------------|
| Options | Deploy new technology | Increase ratios of support staff per judge | Create branch locations in the district | Create subject matter divisions in the district | Create geographic divisions within the district | Add judges | Other | Total |
| Total | 10 | 9 | 4 | 12 | 5 | 11 | 7 | 58 |
| Percent | 17% | 16% | 7% | 21% | 9% | 19% | 12% | 100% |

Summary of Comments on Administrative Changes (Summary not exhaustive; complete comments provided in materials.)

- Require judges to issue opinions in lieu of per curiam affirmations and promote oral arguments.
- Create reasonable timeframes for resolution of cases.
- Create another DCA for the Third, Fourth, and Eighth Circuits.
- Reassign judges to districts other than their originating circuit.
- Increase access to justice via remote hearings, and online access to pleadings and orders.
- No administrative changes needed.

**DCA Workload and Jurisdiction Assessment Committee
Survey Responses
Public Opinion**

4. What other steps can be taken to improve the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal?

Summary of Comments on Steps for Improvement: (Summary not exhaustive; complete comments provided in materials.)

- Staffing: Provide more support and funding for judges, law clerks and support staff.
- Boundary Changes: Move the 10th Circuit to the 5th DCA, the 5th Circuit to the 2nd DCA, and move the 4th Circuit to a newly created district.
- Process and Timeliness: Limit the amount of per curiam affirmations issued; require more written opinions be issued; conduct more oral arguments and issue briefing orders; decisions should be issued within specified timeframes; write opinions more respectful of the trial courts.
- Public Accessibility: Make websites easy to navigate; record proceedings and make publicly available; allow online access to court case filings; provide more discrete statistics on court actions; increase DCA information via social media similar to Supreme Court.
- Judicial Selection: Appointment process needs to be less political; assign judges to districts they have not served; improve racial and gender diversity.
- Training: Provide resources for pro se and other appellants; conduct public workshops; provide additional training for all members in the branch in ethics and professionalism.

| 5. Have you had experience with a district court of appeal within the last five years? | | |
|---|---------------------------|----------------|
| Options | Responses Received | Percent |
| Yes | 44 | 81% |
| No | 9 | 17% |
| Blank | 1 | 2% |
| Total | 54 | 100% |

| Options | 6. Do you believe appeals to the DCA are handled in a timely manner? | 7. Do you believe the DCA promotes access to oral argument? | 8. Do you know where to find written documentation of DCA decisions? | 9. Do you understand the decisions made by DCA judges? |
|-----------------------|---|--|---|---|
| Yes | 15 | 18 | 41 | 32 |
| Somewhat | 20 | 19 | 5 | 13 |
| No | 13 | 14 | 7 | 7 |
| Don't Know | 6 | 3 | 0 | 0 |
| Blank | 0 | 0 | 1 | 1 |
| Not Applicable | 0 | 0 | 0 | 1 |
| Total | 54 | 54 | 54 | 54 |

DCA Workload and Jurisdiction Assessment Committee

Survey Responses

Public Opinion

| Options | 10. Do you believe decisions made by DCA are fair and based on the law? | 11. Do you believe DCA judges and court staff treat people with respect? | 12. Do you believe DCA judges and court staff are highly skilled and able to perform their duties well? | 13. Do you believe court staff at the DCA are helpful (i.e., answer questions, provide necessary information, etc.)? |
|------------|---|--|---|--|
| Yes | 19 | 28 | 25 | 26 |
| Somewhat | 18 | 12 | 17 | 10 |
| No | 13 | 7 | 7 | 7 |
| Don't Know | 3 | 6 | 4 | 10 |
| Blank | 1 | 1 | 1 | 1 |
| Total | 54 | 54 | 54 | 54 |

| Options | 14. Do you believe the DCA fosters public trust and confidence given its geography? | 15. Do you believe the DCA fosters public trust and confidence given its demographic composition? | 16. Do you believe DCA judges promote public trust and confidence? |
|------------|---|---|--|
| Yes | 16 | 15 | 16 |
| Somewhat | 17 | 10 | 17 |
| No | 12 | 19 | 14 |
| Don't Know | 7 | 10 | 7 |
| Blank | 2 | 0 | 0 |
| Total | 54 | 54 | 54 |

Assessment of DCA's Effectiveness, Efficiency, Access to Appellate Review, Professionalism, and Public Trust & Confidence

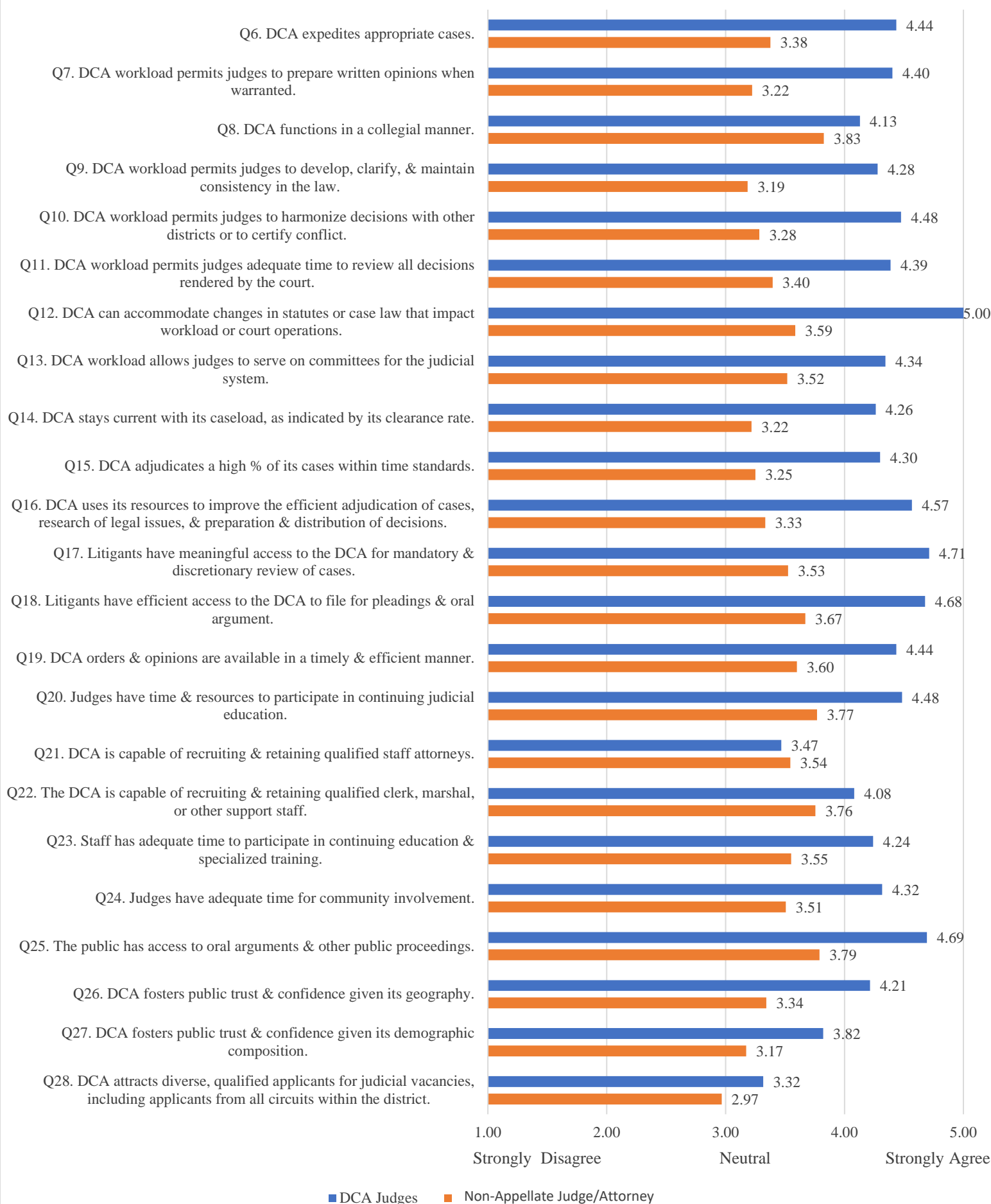
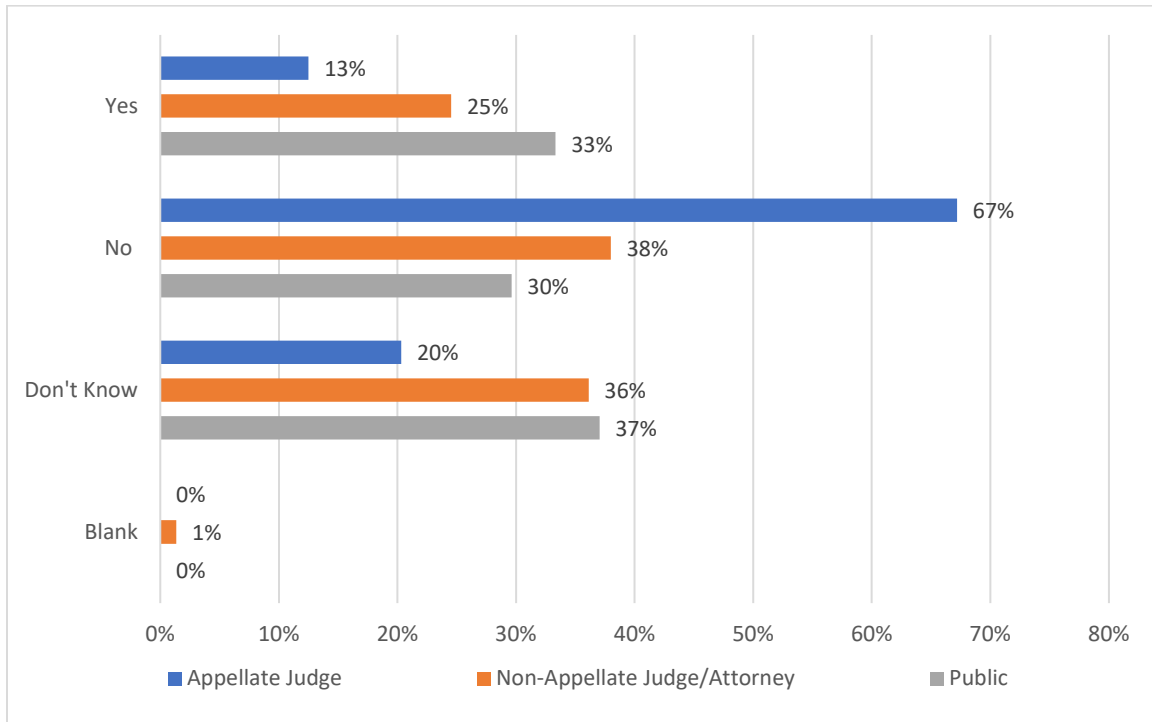
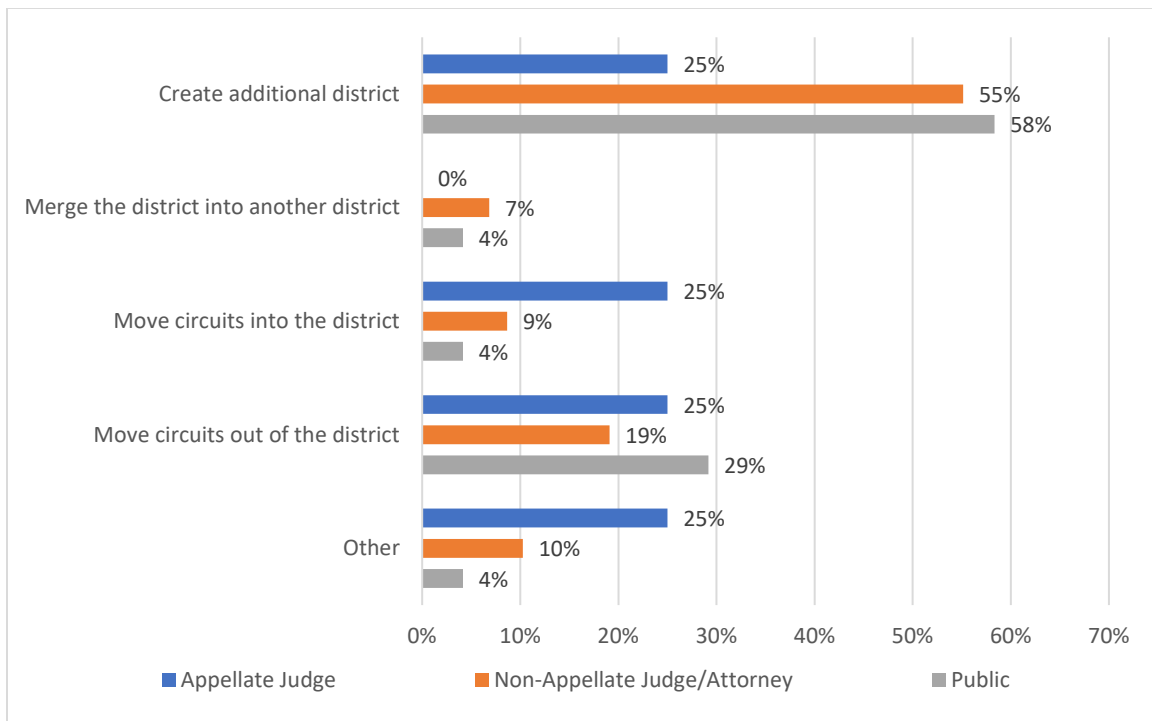


Figure 1. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by a change in jurisdiction?



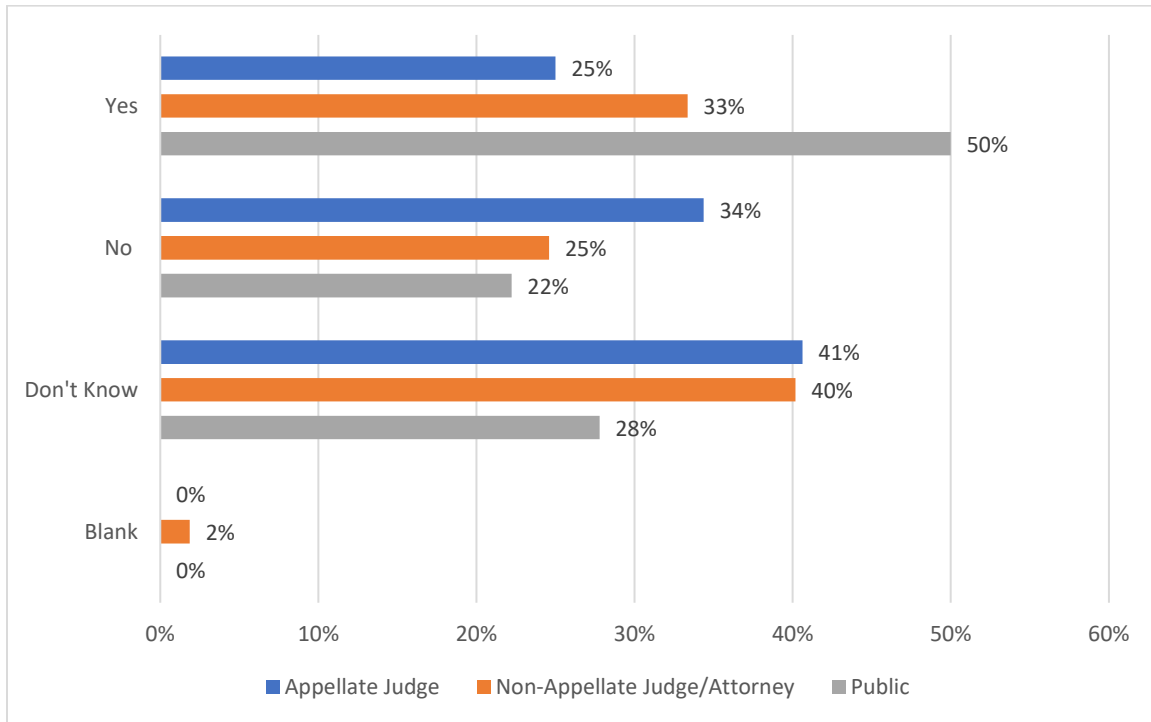
Note 1: Appellate Judges N= 64, Non-Appellate Judge/Attorney N= 1,553, Public N= 54

Figure 2. If yes, please select all that apply.



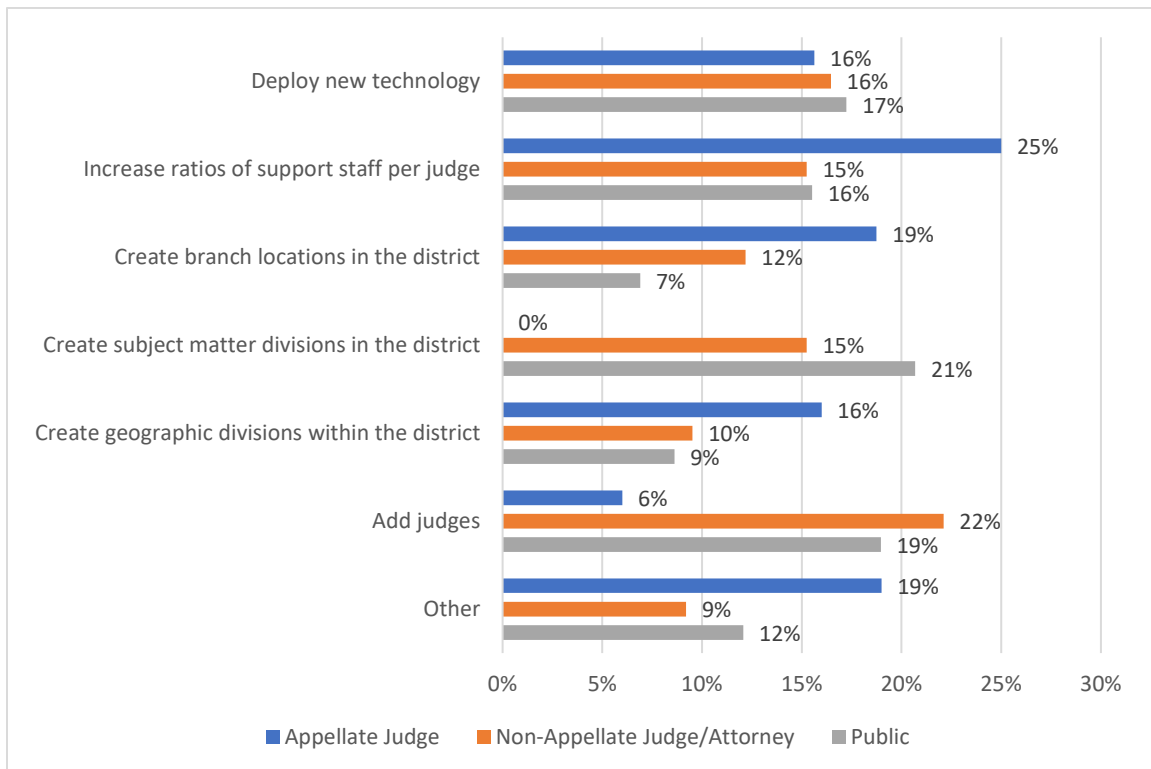
Note 2: The figure above shows only those responses that answered 'yes' to the question and were then prompted to elaborate by selecting from a list of options. Appellate Judges N= 8, Non-Appellate Judge/Attorney N= 381, Public N= 18

Figure 3. Would the effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence for the district court of appeal be improved by administrative changes?



Note 3: Appellate Judges N= 64, Non-Appellate Judge/Attorney N= 1,553, Public N= 54

Figure 4. If yes, please select all that apply.



Note 4: The figure above shows only those responses that answered 'yes' to the question and were then prompted to elaborate by selecting from a list of options. Appellate Judges N= 16, Non-Appellate Judge/Attorney N= 518, Public N= 15

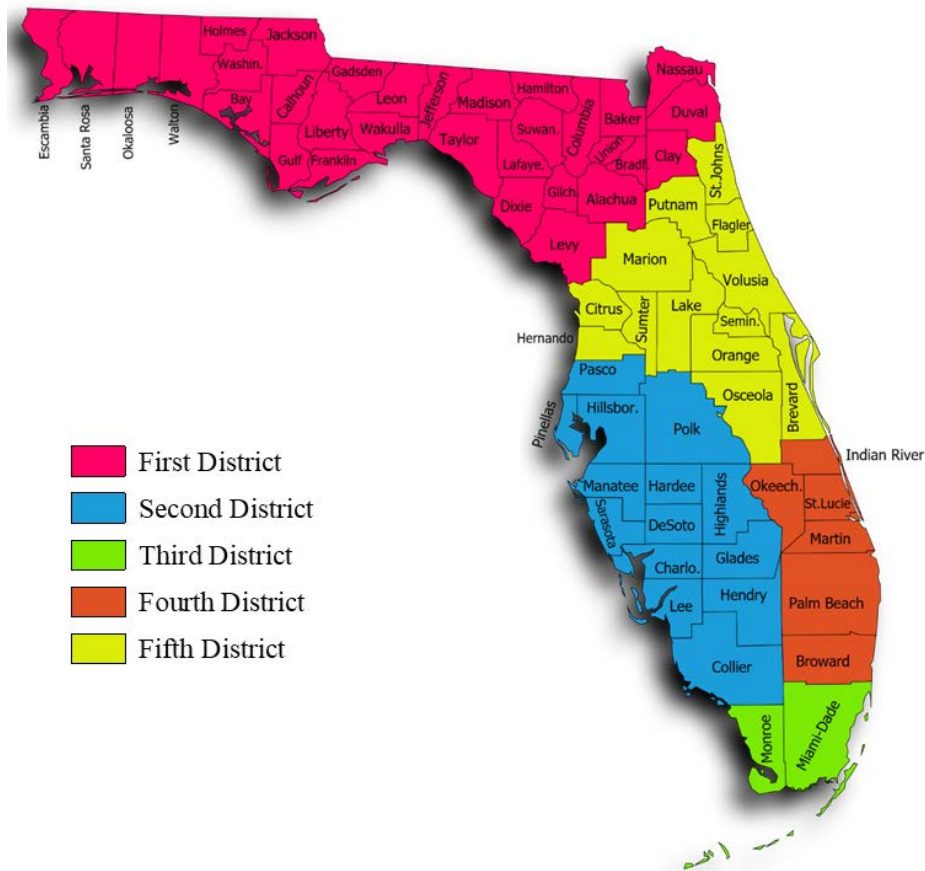
Appendix

G

District Court of Appeal Workload and Jurisdiction Assessment Committee

Current District Court of Appeal Jurisdiction

- Jurisdictional boundaries of the district courts of appeal (DCA) remain the same.

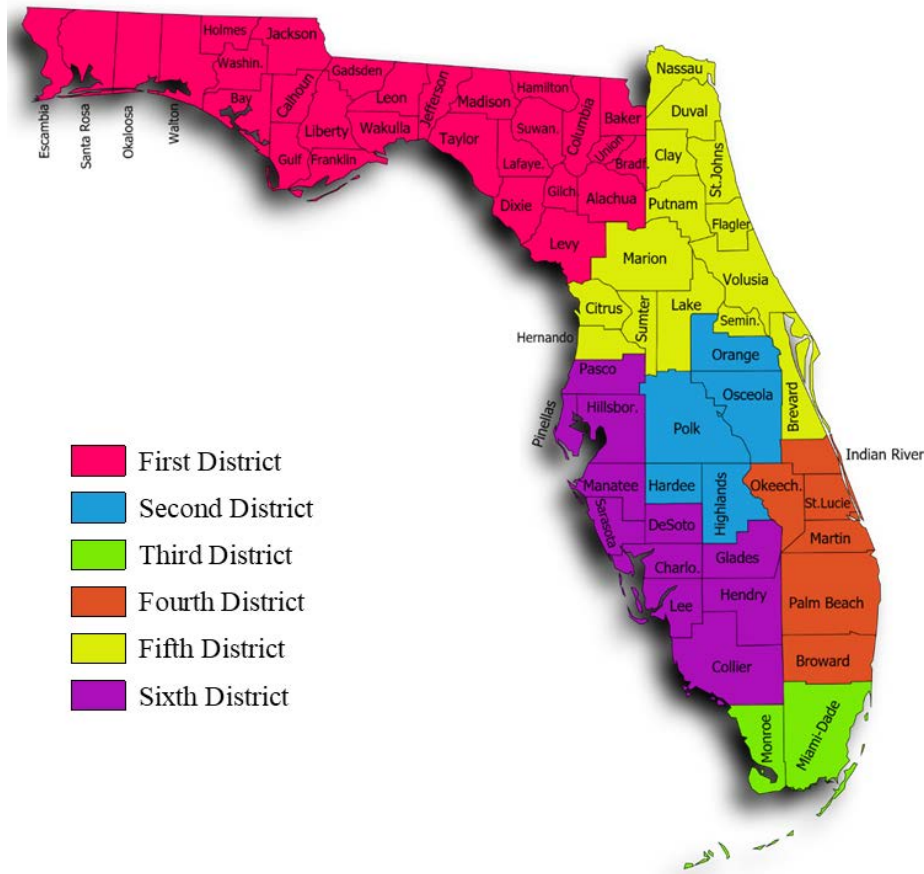


| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | |
| 1 | 3,346,191 | 24,803 | 3,986 | 21% | 4,506 | 23% | 15 |
| 2 | 5,919,471 | 15,306 | 5,008 | 26% | 5,127 | 26% | 16 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 |
| 5 | 4,928,261 | 12,825 | 3,837 | 20% | 3,947 | 20% | 11 |
| Total | 21,100,003 | 65,759 | 19,265 | 101% | 19,897 | 100% | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Creation of a Sixth District Court of Appeal – Scenario A

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth Judicial Circuits move from the Fifth DCA into the Second DCA; comprised of the Ninth and Tenth judicial circuits; and
- The Sixth, Thirteenth, Twelfth, and Twentieth judicial circuits move from the Second DCA to comprise a sixth DCA.

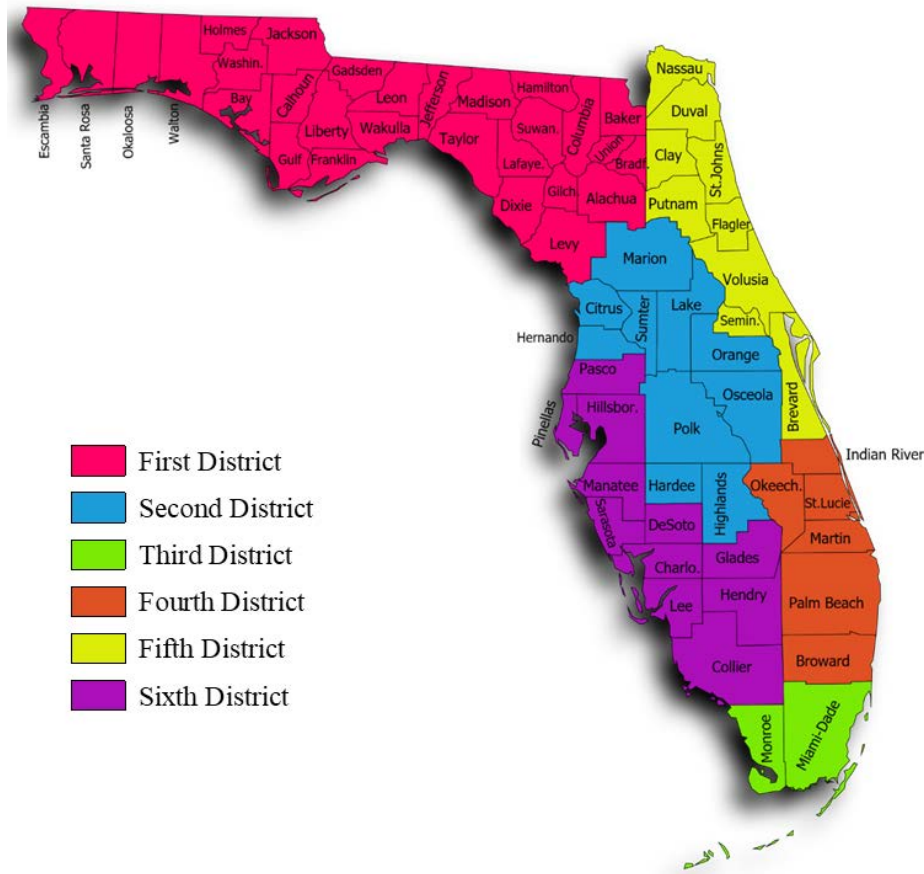


| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario A | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 2,545,770 | 6,264 | 2,294 | 12% | 2,338 | 12% | 16 | 9 | 7 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 10 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 4,458,702 | 12,604 | 3,596 | 19% | 3,988 | 20% | 11 | 7 | 12 |
| 6 | 5,107,320 | 11,551 | 4,114 | 21% | 4,227 | 21% | 0 | 13 | 13 |
| Total | 21,100,003 | 65,759 | 19,265 | 101% | 19,897 | 99% | 64 | 64 | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Creation of a Sixth District Court of Appeal – Scenario B

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth and Fifth judicial circuits move from the Fifth DCA into the Second DCA, comprised of the Fifth, Ninth, and Tenth judicial circuits; and
- The Sixth, Thirteenth, Twelfth, and Twentieth judicial circuits move from the Second DCA to comprise a sixth DCA.

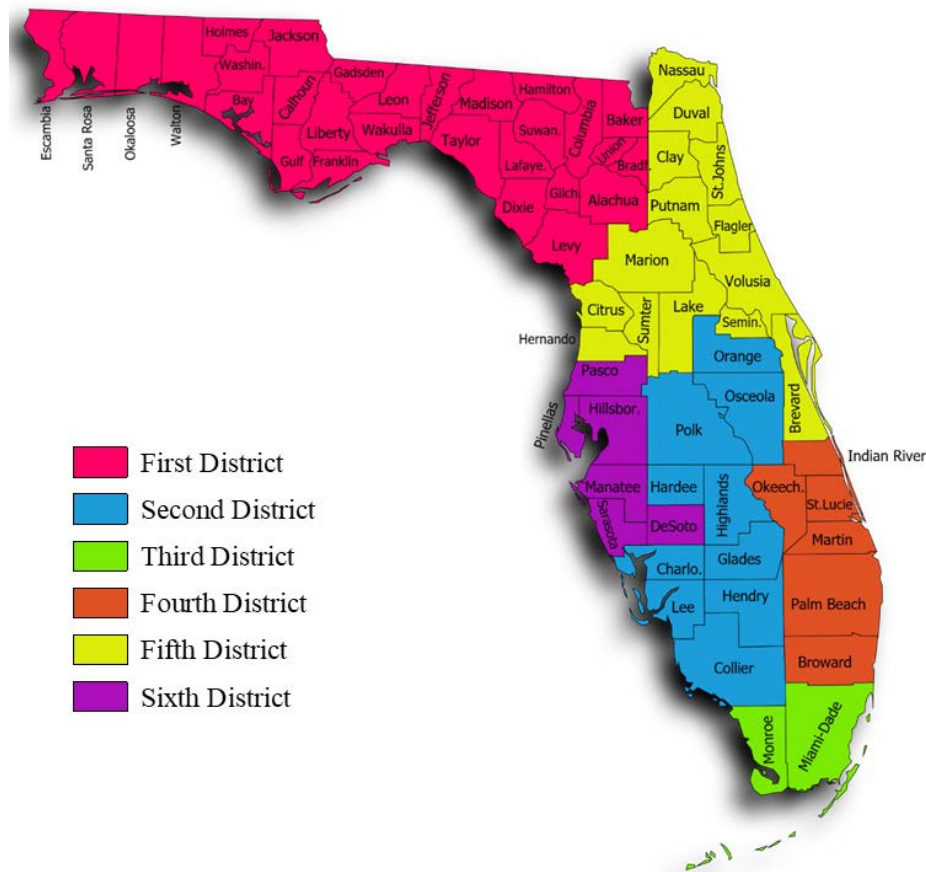


| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario B | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 3,717,251 | 11,026 | 3,115 | 16% | 3,171 | 16% | 16 | 10 | 10 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 9 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 3,287,221 | 7,842 | 2,775 | 14% | 3,155 | 16% | 11 | 6 | 10 |
| 6 | 5,107,320 | 11,551 | 4,114 | 21% | 4,227 | 21% | 0 | 13 | 13 |
| Total | 21,100,003 | 65,759 | 19,265 | 100% | 19,897 | 99% | 64 | 64 | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Creation of a Sixth District Court of Appeal – Scenario C

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA;
- The Ninth Judicial Circuit moves from the Fifth DCA into the Second DCA, comprised of the Ninth, Tenth, and Twentieth judicial circuits; and
- The Sixth, Thirteenth, and Twelfth judicial circuits move from the Second DCA to comprise a sixth DCA.

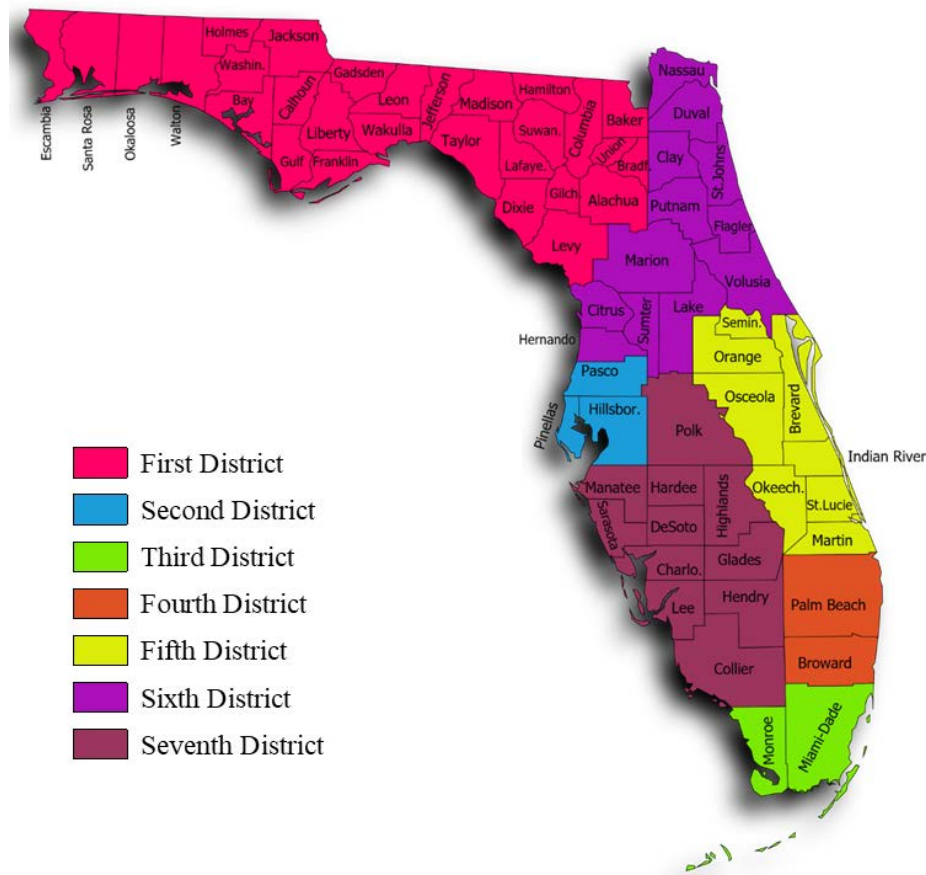


| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario C | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 3,879,927 | 12,816 | 3,213 | 17% | 3,279 | 16% | 16 | 9 | 10 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 10 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 4,458,702 | 12,604 | 3,596 | 19% | 3,988 | 20% | 11 | 7 | 12 |
| 6 | 3,773,163 | 4,999 | 3,195 | 17% | 3,286 | 17% | 0 | 13 | 10 |
| Total | 21,100,003 | 65,759 | 19,265 | 102% | 19,897 | 99% | 64 | 64 | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Creation of a Sixth and Seventh District Court of Appeal – Scenario D

- The Fourth Judicial Circuit moves from the First DCA into a sixth DCA, comprised of the Fourth, Fifth, and Seventh judicial circuits;
- The Sixth and Thirteenth judicial circuits comprise the Second DCA;
- The Nineteenth Judicial Circuit moves from the Fourth DCA to the Fifth DCA, comprised of the Ninth, Eighteenth, and Nineteenth judicial circuits; and
- The Tenth, Twelfth, and Twentieth judicial circuits move from the Second DCA to comprise a seventh DCA.



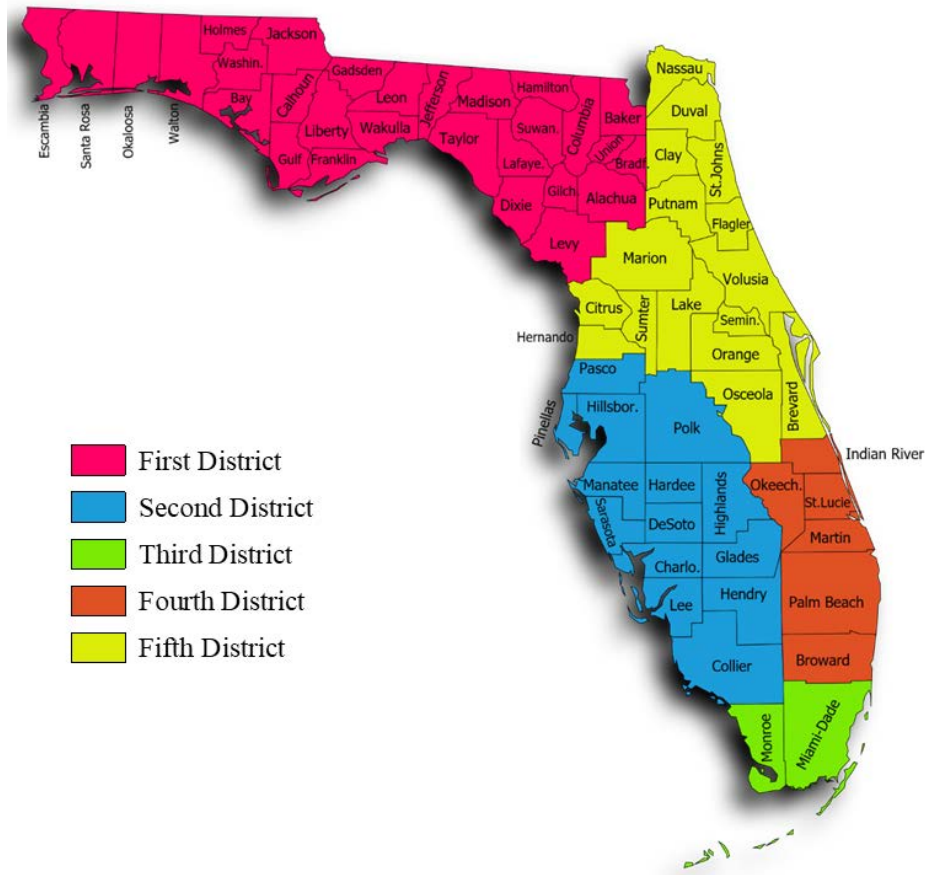
| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario D | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 2,929,443 | 2,742 | 2,450 | 13% | 2,517 | 13% | 16 | 12 | 8 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 10 |
| 4 | 3,364,508 | 3,706 | 3,089 | 16% | 2,932 | 15% | 12 | 8 | 9 |
| 5 | 3,451,425 | 7,361 | 3,131 | 16% | 3,097 | 16% | 11 | 14 | 10 |
| 6 | 3,399,684 | 10,702 | 2,768 | 14% | 3,075 | 15% | 0 | 3 | 9 |
| 7 | 2,990,028 | 12,564 | 2,558 | 13% | 2,610 | 13% | 0 | 4 | 8 |
| Total | 21,100,003 | 65,759 | 19,265 | 100% | 19,897 | 100% | 64 | 64 | 64 |

Compiled by the Office of the State Courts Administrator. Information does not represent a position statement of either the Supreme Court or the State Courts System.

District Court of Appeal Workload and Jurisdiction Assessment Committee

Reconfigured District Courts of Appeal – Scenario 1

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA.

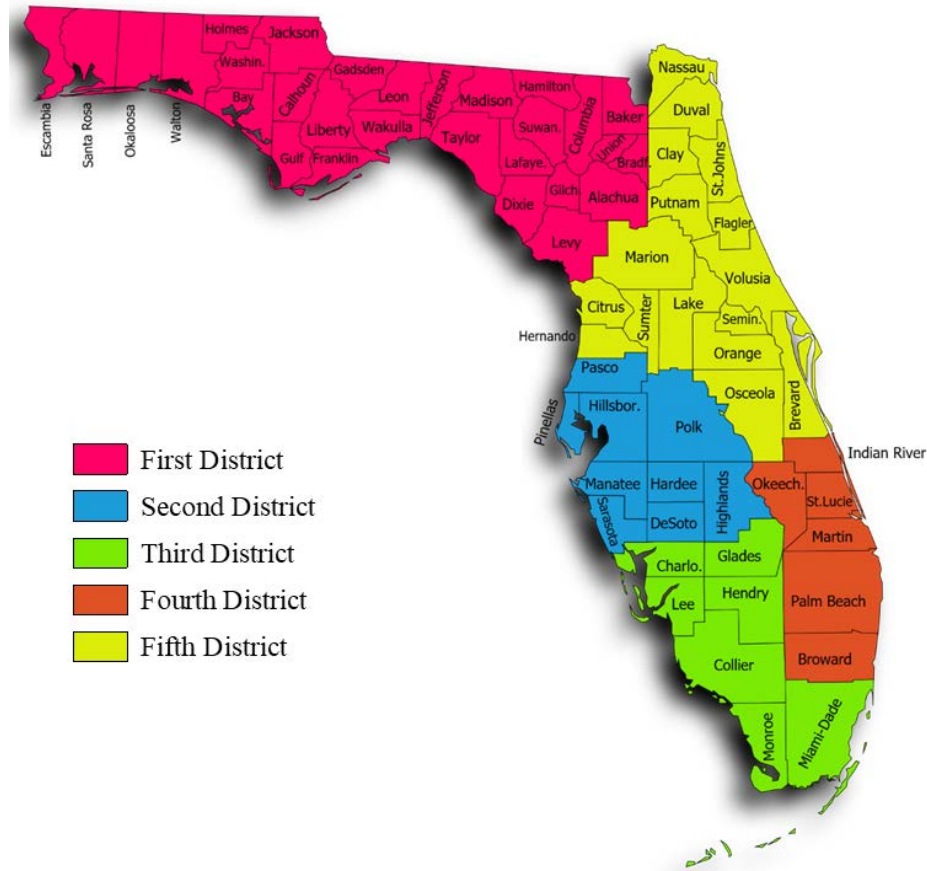


| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario 1 | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 5,919,471 | 15,306 | 5,008 | 26% | 5,127 | 26% | 16 | 16 | 16 |
| 3 | 2,882,784 | 6,169 | 2,442 | 13% | 2,639 | 13% | 10 | 10 | 9 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 6,192,321 | 15,113 | 4,996 | 26% | 5,426 | 27% | 11 | 13 | 17 |
| Total | 21,100,003 | 65,759 | 19,265 | 101% | 19,897 | 99% | 64 | 64 | 64 |

District Court of Appeal Workload and Jurisdiction Assessment Committee

Reconfigured District Courts of Appeal – Scenario 2

- The Fourth Judicial Circuit moves from the First DCA into the Fifth DCA; and
- The Twentieth Judicial Circuit moves from the Second DCA to the Third DCA.



| DCA | Population | Travel Distance (Square Miles) | Calendar Year 2019 | | | | Current Number of Judges | Under Scenario 2 | |
|--------------|-------------------|--------------------------------|--------------------|--------------------------------------|------------------------------|---|--------------------------|----------------------------|-------------------------|
| | | | Cases Filed | Percent of DCA Cases Filed Statewide | Cases Disposed on the Merits | Percent of Cases Disposed on the Merits Statewide | | Judges by County Residency | Estimated Judicial Need |
| 1 | 2,082,131 | 22,515 | 2,827 | 15% | 3,027 | 15% | 15 | 13 | 10 |
| 2 | 4,585,314 | 8,754 | 4,089 | 21% | 4,186 | 21% | 16 | 16 | 13 |
| 3 | 4,216,941 | 12,721 | 3,361 | 17% | 3,580 | 18% | 10 | 10 | 12 |
| 4 | 4,023,296 | 6,656 | 3,992 | 21% | 3,678 | 18% | 12 | 12 | 12 |
| 5 | 6,192,321 | 15,113 | 4,996 | 26% | 5,426 | 27% | 11 | 13 | 17 |
| Total | 21,100,003 | 65,759 | 19,265 | 100% | 19,897 | 99% | 64 | 64 | 64 |

Notes

1. Population figures as of January 1, 2019.
2. Calendar year 2019 data used to control for COVID-19 pandemic related filing and disposition anomalies present in calendar year 2020 data.
3. Percentages may not equal one hundred percent due to rounding.
4. Article V, section 8 of the Florida Constitution provides that “[n]o person shall be eligible for office of justice or judge of any court unless the person is an elector of the state and resides in the territorial jurisdiction of the court.” “Judges by County Residency” shows the number of judges under each scenario based on the current county of residence of the existing judges and assumes no change in residence.
5. The “Estimated Judicial Need” for the redefined appellate districts represents a preliminary estimate only. The need is based on the weighted judicial workload per judge. The annual certification process, required by the Florida Constitution, would include a more comprehensive analysis to determine the need to increase or decrease the number of judges based on changes in workload brought about by the redefined districts.

Appendix

H

September 13, 2021



The Honorable L. Clayton Roberts
Chair

The Honorable Jonathan D. Gerber
Vice-Chair

Members

The Honorable Lori S. Rowe

The Honorable Robert Morris

The Honorable Stevan T. Northcutt

The Honorable Ivan F. Fernandez

The Honorable Thomas Logue

The Honorable Burton C. Conner

The Honorable Brian D. Lambert

The Honorable James A. Edwards

Ex-Officio Members

The Honorable Melanie G. May
District Court of Appeal Performance and
Accountability Commission

The Honorable Stevan T. Northcutt
Chair, Appellate Court Technology
Committee

The Honorable Edward C. LaRose
President, District Court of Appeal Judges
Conference

Supreme Court Liaison

The Honorable Carlos G. Muñiz

Florida State Courts System

500 South Duval Street

Tallahassee, FL 32399-1900

www.flcourts.org

The Honorable Edwin A. Scales, III
Chair, District Court of Appeal Workload
and Jurisdiction Assessment Committee
Third District Court of Appeal
2001 Southwest 117th Avenue
Miami, Florida 33175

Dear Judge Scales:

Thank you for your correspondence of September 2, 2021, and the opportunity for the District Court of Appeal Budget Commission (DCABC) to consider the recommendation of the District Court of Appeal Workload and Jurisdiction Assessment Committee (Committee) to create at least one additional district court of appeal (DCA).

The purpose of the DCABC, as prescribed in Rule of Gen. Prac. and Jud. Admin. 2.235, is to develop and oversee the administration of district court budgets in a manner that ensures equity and fairness in state funding for the five districts. Among the DCABC's specific charges are to establish budgeting and funding policies and procedures, make recommendations to the Supreme Court on the district court component of the annual judicial branch budget request and advocate for that component, and make recommendations on funding allocation formulas and accountability mechanisms based on actual legislative appropriations.

The DCABC met on September 9, 2021, and voted to not take a position on the underlying policy question of increasing, decreasing, or redefining appellate districts because that question is beyond the purview of the DCABC's budget-focused purpose and charges. The DCABC does note, however, that there are significant fiscal impacts from creation of an additional DCA or additional DCAs. Examples of these fiscal impacts include:

The Honorable Edwin A. Scales, III
September 13, 2021
Page 2

- Facilities – including construction and maintenance of an additional courthouse or courthouses.
- Staffing – including, consistent with article v, section 4(c) of the State Constitution, the appointment of a clerk and a marshal for each new DCA. In addition, a variety of other administrative-support staff would be required for the effective functioning of each new DCA (e.g., security, technology, and finance and accounting staff).
- Operational Expenses – including technology, other equipment, and travel.

Absent appropriation of additional resources, there would be a significant negative fiscal impact on the current district court budget, as the additional costs would have to be absorbed. It is not possible for the DCABC to quantify the additional resources needed, absent knowing the details of how a proposal for an additional DCA or DCAs might ultimately be crafted. The DCABC is fully prepared to assist the Supreme Court and the Legislature with development of a comprehensive fiscal impact statement and identification of related fiscal and operational considerations at the appropriate time.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Clayton Roberts", with a stylized, cursive script.

L. Clayton Roberts

LCR:ewm

cc: Justice Carlos G. Muñiz
Elisabeth H. Kiel
Allison “Ali” Sackett
Katie Cunningham
Sharon Bosley
Andrew Johns

Appendix

I

DCA Workload and Jurisdiction Assessment Committee Minority View

A minority of Committee members, comprising First District Judge Stephanie Ray, Second District Judge Suzanne Labrit, Fourth District Judge Dorian Damoorgian, Fifth District Judge Meredith Sasso, and Blaise Trettis (Public Defender, 18th Judicial Circuit) (collectively, the “Minority”) believes that there currently is no need to increase or redefine the appellate districts. The charge to the Committee was to “evaluate the necessity for increasing, decreasing, or redefining the appellate districts” by “conducting a review in accordance with the criteria and factors outlined in rule 2.241.” *See* Fla. Admin. Order No. AOSC21-13 (May 6, 2021). The Minority view is that applying the criteria prescribed in rule 2.241(d) to the data and information generated for this evaluation compels the recommendation that no increase or redefinition of the appellate districts is needed. The Minority provides the following summary of its analysis of the rule criteria as applied to the information the Committee reviewed.

Effectiveness (rule 2.241(d)(1))

As is shown in detail in the tables under the “efficiency” discussion below, the objective performance data indicates no deficiency in any district with respect to effectiveness as it relates to timely dispositions (subsections (A)-(C)). Likewise, as the below tabular summary¹ demonstrates, the survey responses—which relate to each factor specified in rule 2.241(d)(1)(A)-(H)—confirm that each district is meeting or exceeding the effectiveness criteria.

¹See Appendix F, Summary of Survey Results, pages F-5 and F-12. Blue tables reflect district court judge responses, and red tables reflect non-appellate judge and attorney responses.

Criteria-Based Questions - Complete Responses (Average of Response Scores)^{2, 3}

Criteria-Based Questions – Complete Responses (Average of Response Scores)

| District | 6. The DCA expedites appropriate cases. | 7. The DCA handles its workload in a manner permitting its judges to prepare written opinions when warranted. | 8. The DCA functions in a collegial manner. | 9. The DCA handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions. |
|---------------|---|---|---|--|
| First | 3.87 | 3.93 | 3.40 | 3.87 |
| Second | 4.41 | 4.29 | 4.71 | 4.24 |
| Third | 4.75 | 4.88 | 4.63 | 4.63 |
| Fourth | 4.80 | 4.60 | 3.80 | 4.30 |
| Fifth | 4.67 | 4.67 | 4.17 | 4.64 |
| Total Average | 4.44 | 4.40 | 4.13 | 4.28 |

| District | 10. The DCA handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate. | 11. The DCA handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court. | 12. The DCA is capable of accommodating changes in statutes or case law impacting workload or court operations. | 13. The DCA handles its workload in a manner permitting its judges to serve on committees for the judicial system. |
|---------------|---|---|---|--|
| First | 4.21 | 3.87 | 5.00 | 3.79 |
| Second | 4.47 | 4.41 | 5.00 | 4.41 |
| Third | 4.75 | 5.00 | 5.00 | 4.75 |
| Fourth | 4.40 | 4.50 | 5.00 | 4.50 |
| Fifth | 4.67 | 4.50 | 5.00 | 4.50 |
| Total Average | 4.48 | 4.39 | 5.00 | 4.34 |

²In evaluating performance with respect to the factors prescribed in rule 2.241(d)(1)-(5) (inclusive of subparts), respondents were asked to indicate how well the court addresses each factor based on the following scale: strongly disagree (value of 1), disagree (value of 2), neutral (value of 3), agree (value of 4), strongly agree (value of 5), or no opinion.

³The “Blank” row in the non-appellate judge and attorney survey results (red tables) reflects the scores of those respondents that did not select a DCA for which they were providing comment. All respondents to the DCA judge survey (blue tables) did indicate the DCA for which they were providing comment.

District Court of Appeal Workload and Jurisdiction Assessment Committee

Criteria-Based Questions – Complete Responses (Average of Response Scores)

| District | 6. The DCA expedites appropriate cases. | 7. The DCA handles its workload in a manner permitting its judges to prepare written opinions when warranted. | 8. The DCA functions in a collegial manner. | 9. The DCA handles its workload in a manner permitting its judges to develop, clarify, and maintain consistency in the law within that district, including consistency between written opinions and per curiam affirmances without written opinions. |
|---------------|---|---|---|--|
| First | 3.24 | 3.14 | 3.72 | 3.13 |
| Second | 3.44 | 3.22 | 4.00 | 3.29 |
| Third | 3.30 | 3.23 | 3.81 | 3.07 |
| Fourth | 3.48 | 3.32 | 3.89 | 3.24 |
| Fifth | 3.43 | 3.19 | 3.68 | 3.13 |
| Blank | 3.46 | 3.40 | 3.66 | 3.31 |
| Total Average | 3.38 | 3.22 | 3.83 | 3.19 |

| District | 10. The DCA handles its workload in a manner permitting its judges to harmonize decisions of their court with those of other district courts or to certify conflict when appropriate. | 11. The DCA handles its workload in a manner permitting its judges to have adequate time to review all decisions rendered by the court. | 12. The DCA is capable of accommodating changes in statutes or case law impacting workload or court operations. | 13. The DCA handles its workload in a manner permitting its judges to serve on committees for the judicial system. |
|---------------|---|---|---|--|
| First | 3.22 | 3.29 | 3.53 | 3.54 |
| Second | 3.32 | 3.45 | 3.65 | 3.60 |
| Third | 3.23 | 3.32 | 3.58 | 3.53 |
| Fourth | 3.32 | 3.44 | 3.68 | 3.46 |
| Fifth | 3.34 | 3.42 | 3.51 | 3.42 |
| Blank | 3.29 | 3.68 | 3.39 | 3.49 |
| Total Average | 3.28 | 3.40 | 3.59 | 3.52 |

Collegiality (rule 2.241(d)(1)(C))

A principal concern of the Majority appears to be that collegiality may be negatively impacted on larger courts. Our supreme court has explained that in assessing collegiality, “[t]he relevant question is simply whether, given the totality of the circumstances, Florida’s district courts are able to **effectively and efficiently** perform their primary functions in service to the people.” *In re Report of the Comm. on Dist. Court of Appeal Workload & Jurisdiction—Rule of Judicial Admin. 2.036*, 921 So. 2d 615, 620 (Fla. 2006) (quoting Workload and Jurisdiction Committee Report, which quoted Commission on District Court of Appeal Performance and Accountability, *Court Size as it Affects Collegiality and Court Performance* (June 2004)) (emphasis added).

This inquiry is properly made through “an outcomes-based approach” that evaluates objective performance measures. *Id.* Ultimately, “a redefinition of appellate districts should be considered” where “data indicate that the district courts are struggling to fulfill their mission.” *Id.* Here, the performance-based data concerning effectiveness and efficiency indicate no such struggle and in fact contradict that suggestion. Likewise, the survey responses do not suggest a perception (either among the district court judges or the other respondents) that collegiality (or a lack thereof) is a problem.

Of particular note, the supreme court stated that:

the widely held **assumption that a court would become less effective when the number of judges on the court approached twenty no longer holds true**. This is attributable to developments in court management practices, the deployment of resources such as central staffs, and the increased sophistication of information-sharing technologies, including video conferencing, e-mail, and document management. . . . **[L]arger appellate courts with strong leadership, adequate staff support, well considered case management strategies and appropriate technology can operate with a collegial environment and efficiency similar to or even greater than that of a smaller court.**

Id. at 619-620 (cleaned up) (emphasis added).

In other words, a court with more than 10 or 12 judges is not presumptively unable to function in a collegial manner. To the contrary, where objective performance data indicate that a court is “effectively and efficiently perform[ing] its primary functions in service to the people,” then collegiality is not an issue. Nothing in the performance data or survey responses (other than the negative remarks on per curiam affirmed decisions) can be fairly read to support the notion that any of the district courts are not efficiently and effectively “performing their primary functions in service to the people.” Moreover, in 2014 both the legislature and the court necessarily concluded that 16 judges was not too many for a district court to function in a collegial manner. See *In re Certification of Need for Additional Judges*, 132 So. 3d 161, 164 (Fla. 2013) (certifying need for two additional judges on Second District) and Ch. 2014-58, § 1, Laws of Fla. (increasing number of Second District judges from 14 to 16).

A related concern appears to be the notion that some districts are too large and need to be “evened out” to achieve more equal distribution of judges and workload (parity). This seems primarily based on the supposition that collegiality is negatively impacted if there are more than 10-13 judges on a district court. Nothing in rule 2.241(d) suggests parity of workload or of judges across districts is a factor to be considered, and the data and information that

District Court of Appeal Workload and Jurisdiction Assessment Committee

were evaluated do not indicate that parity is necessary to meet the criteria prescribed in rule 2.241(d).

Efficiency (rule 2.241(d)(2))

As is demonstrated in the three tables below,⁴ the performance statistics objectively confirm that each district is meeting the criteria specified under subsection (d)(2) of rule 2.241.

**DISTRICT COURTS OF APPEAL
Clearance Rates
Fiscal Year 2015-16 to 2019-20**

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|-----------------|----------------|----------------|----------------|----------------|----------------|
| First | 100.2% | 102.7% | 93.3% | 101.4% | 115.0% |
| Second | 104.1% | 104.7% | 103.5% | 99.5% | 113.9% |
| Third | 99.8% | 98.1% | 102.4% | 109.6% | 111.5% |
| Fourth | 116.4% | 114.8% | 114.8% | 97.7% | 110.7% |
| Fifth | 103.3% | 103.6% | 102.2% | 103.1% | 117.8% |
| Total | 104.8% | 105.0% | 102.6% | 101.6% | 114.0% |

⁴See Appendix D, Statistical and Trend Information, pages D-21 and D-56.

DISTRICT COURTS OF APPEAL
Percent of Criminal Appeals and Petitions Disposed Within 180 Days of
Oral Argument
Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--------------|--------------|--------------|--------------|--------------|--------------|
| First | 96.9% | 96.5% | 91.4% | 90.0% | 89.7% |
| Second | 97.8% | 97.4% | 97.4% | 97.9% | 98.3% |
| Third | 98.2% | 98.8% | 96.5% | 97.0% | 95.1% |
| Fourth | 98.8% | 99.4% | 98.9% | 99.0% | 99.8% |
| Fifth | 98.3% | 98.8% | 99.3% | 98.6% | 98.7% |
| Total | 98.0% | 98.1% | 96.7% | 96.3% | 96.0% |

DISTRICT COURTS OF APPEAL
Percent of Non-Criminal Appeals and Petitions Disposed Within 180
Days of Oral Argument
Fiscal Year 2015-16 to 2019-20

| District | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|--------------|--------------|--------------|--------------|--------------|--------------|
| First | 97.8% | 96.1% | 90.4% | 83.5% | 84.2% |
| Second | 94.3% | 94.7% | 93.7% | 93.1% | 94.3% |
| Third | 94.9% | 94.2% | 92.7% | 87.7% | 91.8% |
| Fourth | 97.9% | 96.0% | 98.8% | 98.9% | 99.6% |
| Fifth | 97.3% | 95.3% | 97.4% | 98.7% | 97.5% |
| Total | 96.5% | 95.3% | 94.7% | 92.0% | 93.6% |

Likewise, the below survey responses⁵ as to each factor listed in rule 2.241(d)(2)(A)-(C) indicate that the majority of respondents believe the district courts are all functioning efficiently.

⁵See Appendix F, Summary of Survey Results, pages F-6 and F-13.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| District | 14. The DCA stays current with its caseload, as indicated by measurements such as the clearance rate. | 15. The DCA adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition of its cases. | 16. The DCA uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions. |
|----------------------|--|--|--|
| First | 3.27 | 3.33 | 4.29 |
| Second | 4.44 | 4.56 | 4.53 |
| Third | 4.50 | 4.50 | 4.88 |
| Fourth | 4.70 | 4.80 | 4.70 |
| Fifth | 4.75 | 4.64 | 4.64 |
| Total Average | 4.26 | 4.30 | 4.57 |

| District | 14. The DCA stays current with its caseload, as indicated by measurements such as the clearance rate. | 15. The DCA adjudicates a high percentage of its cases within the time standards set forth in the Rules of General Practice and Judicial Administration and has adequate procedures to ensure efficient, timely disposition. | 16. The DCA uses its resources, case management techniques, and other technologies to improve the efficient adjudication of cases, research of legal issues, and preparation and distribution of decisions. |
|----------------------|--|---|--|
| First | 2.92 | 2.96 | 3.23 |
| Second | 3.23 | 3.41 | 3.44 |
| Third | 3.17 | 3.17 | 3.26 |
| Fourth | 3.39 | 3.37 | 3.32 |
| Fifth | 3.46 | 3.40 | 3.39 |
| Blank | 3.43 | 3.33 | 3.34 |
| Total Average | 3.22 | 3.25 | 3.33 |

Access to Appellate Review (2.241(d)(3)):

Again, survey responses⁶ pertinent to each factor listed in rule 2.241(d)(3)(A)-(C) indicate generally high satisfaction with access to appellate review:

⁶See Appendix F, Summary of Survey Results, pages F-6 and F-13.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| District | 17. Litigants, including self-represented litigants, have meaningful access to the DCA for mandatory and discretionary review of cases, consistent with due process. | 18. Litigants are afforded efficient access to the DCA for the filing of pleadings and for oral argument when appropriate. | 19. Orders and opinions of the DCA are available in a timely and efficient manner. |
|----------------------|---|---|---|
| First | 4.73 | 4.73 | 3.93 |
| Second | 4.76 | 4.65 | 4.53 |
| Third | 4.88 | 4.88 | 4.75 |
| Fourth | 4.50 | 4.70 | 4.70 |
| Fifth | 4.67 | 4.50 | 4.50 |
| Total Average | 4.71 | 4.68 | 4.44 |

| District | 17. Litigants, including self-represented litigants, have meaningful access to the district court of appeal for mandatory and discretionary review of cases, consistent with due process. | 18. Litigants are afforded efficient access to the district court of appeal for the filing of pleadings and for oral argument when appropriate. | 19. Orders and opinions of the district court of appeal are available in a timely and efficient manner. |
|----------------------|--|--|--|
| First | 3.51 | 3.62 | 3.49 |
| Second | 3.61 | 3.79 | 3.69 |
| Third | 3.54 | 3.56 | 3.48 |
| Fourth | 3.52 | 3.68 | 3.73 |
| Fifth | 3.41 | 3.63 | 3.57 |
| Blank | 3.45 | 3.76 | 3.65 |
| Total Average | 3.53 | 3.67 | 3.60 |

These responses confirm that the district courts are utilizing technological resources so as to maximize public access to court records and proceedings. It is critical to understand the extent to which the use of video technology for oral arguments during the pandemic has expanded access to the district courts.

The Minority believes virtual oral arguments are here to stay, as they reduce/remove cost and geographic barriers to participation. Two district courts that resumed in-person oral arguments over the summer have issued administrative orders authorizing litigants to request virtual oral argument for good cause shown, subject to panel discretion. Additionally, the Workgroup on

District Court of Appeal Workload and Jurisdiction Assessment Committee

the Continuity of Court Operations and Proceedings During and After COVID-19 has proposed amendments to rule 9.320 whereby such a policy would be implemented on a uniform basis across all the district courts. See *In Re Amendments to Fla. Rules of Civil Procedure, etc.*, No. SC21-990 (petition filed July 1, 2021, at p. 31). While there has not been sufficient time to develop objective data on practitioner preferences and usage of virtual oral argument post-pandemic, some district court judges in the Minority anecdotally have observed interest from practitioners who have requested and likely will continue to request virtual oral argument in lieu of live proceedings as pandemic restrictions are lifted.

Professionalism (rule 2.241(d)(4))

Once again, the information the Committee received does not indicate a professionalism problem. While there may be minor dissatisfaction with recruitment and retention of qualified staff attorneys, the responses to survey questions⁷ pertinent to the factors in rule 2.241(d)(4)(A)-(C) were positive overall and certainly do not indicate a problem of such a magnitude as to require the “impact and disruption” associated with adding a district court of appeal. See rule 2.241(a)(8).

+

| District | Q20. The DCA handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary. | 21. The DCA is capable of recruiting and retaining qualified staff attorneys. | 22. The DCA is capable of recruiting and retaining qualified clerk, marshal, or other support staff. | 23. The DCA affords staff adequate time to participate in continuing education and specialized training. |
|---------------|--|---|--|--|
| First | 4.13 | 3.27 | 4.33 | 4.29 |
| Second | 4.59 | 3.88 | 4.06 | 4.43 |
| Third | 4.88 | 3.38 | 3.88 | 4.80 |
| Fourth | 4.40 | 3.40 | 4.20 | 3.78 |
| Fifth | 4.58 | 3.25 | 3.83 | 4.08 |
| Total Average | 4.48 | 3.47 | 4.08 | 4.24 |

⁷See Appendix F, Summary of Survey Results, pages F-6, F-7, F-13, and F-14.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| District | 20. The DCA handles its workload in a manner permitting its judges adequate time and resources to participate in continuing judicial education opportunities and to stay abreast of the law in order to maintain a qualified judiciary. | 21. The district court of appeal is capable of recruiting and retaining qualified staff attorneys. | 22. The district court of appeal is capable of recruiting and retaining qualified clerk, marshal, or other support staff. | 23. The district court of appeal affords staff adequate time to participate in continuing education and specialized training. |
|---------------|---|--|---|---|
| First | 3.70 | 3.64 | 3.85 | 3.67 |
| Second | 3.95 | 3.66 | 3.89 | 3.68 |
| Third | 3.56 | 3.44 | 3.69 | 3.44 |
| Fourth | 3.86 | 3.47 | 3.61 | 3.39 |
| Fifth | 3.69 | 3.42 | 3.64 | 3.47 |
| Blank | 3.87 | 3.47 | 3.65 | 3.56 |
| Total Average | 3.77 | 3.54 | 3.76 | 3.55 |

During the pandemic, many staff attorneys, non-judicial staff, and administrative staff adapted well to remote work. It is anticipated that at least some remote work arrangements (fully or partially remote, hybrid, flex) may continue post-pandemic. Given the flexibility and attractiveness of such arrangements, it is possible that over the next few years the district courts' ability to attract and retain qualified staff attorneys and non-judicial staff may increase.

Public Trust and Confidence (rule 2.241(d)(5))

Overall, the survey responses⁸ regarding the factors in rule 2.241(d)(5)(A)-(D) indicate that public trust and confidence are not lacking.

⁸See Appendix F, Summary of Survey Results, pages F-7 and F-14.

District Court of Appeal Workload and Jurisdiction Assessment Committee

| District | 24. The DCA handles its workload in a manner permitting its judges adequate time for community involvement. | 25. The DCA provides adequate access to oral arguments and other public proceedings for the general public within its district. | 26. The DCA fosters public trust and confidence given its geography. | 27. The DCA fosters public trust and confidence given its demographic composition. | 28. The DCA attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. |
|---------------|---|---|--|--|---|
| First | 3.86 | 4.80 | 4.15 | 4.08 | 3.47 |
| Second | 4.59 | 4.41 | 4.06 | 3.87 | 3.00 |
| Third | 4.63 | 5.00 | 4.71 | 4.63 | 4.38 |
| Fourth | 4.22 | 4.90 | 4.20 | 3.50 | 3.30 |
| Fifth | 4.33 | 4.58 | 4.20 | 3.18 | 2.82 |
| Total Average | 4.32 | 4.69 | 4.21 | 3.82 | 3.32 |

| District | 24. The district court of appeal handles its workload in a manner permitting its judges adequate time for community involvement. | 25. The district court of appeal provides adequate access to oral arguments and other public proceedings for the general public within its district. | 26. The district court of appeal fosters public trust and confidence given its geography. | 27. The district court of appeal fosters public trust and confidence given its demographic composition. | 28. The district court of appeal attracts a diverse group of well-qualified applicants for judicial vacancies, including applicants from all circuits within the district. |
|---------------|--|--|---|---|--|
| First | 3.54 | 3.75 | 3.10 | 2.96 | 2.73 |
| Second | 3.60 | 3.90 | 3.38 | 3.24 | 3.11 |
| Third | 3.39 | 3.69 | 3.45 | 3.38 | 3.22 |
| Fourth | 3.42 | 3.83 | 3.49 | 3.15 | 2.98 |
| Fifth | 3.50 | 3.68 | 3.38 | 3.12 | 2.75 |
| Blank | 3.57 | 3.91 | 3.46 | 3.42 | 3.17 |
| Total Average | 3.51 | 3.79 | 3.34 | 3.17 | 2.97 |

The Minority understands that there are concerns about geographic diversity of applicants, and perhaps more pointedly, geographic diversity of appointments, particularly in larger districts. However, the information the Committee reviewed (see Appendix D, Statistical and Trend Information, pages D-62 through D-70) indicates that applicants for vacancies in the districts have routinely been from all circuits in the districts; the same is generally true regarding nominees for vacancies in those districts.

In short, it seems that the geographic diversity concern has more to do with the Governor's exercise of a constitutional prerogative than it does with any issue of public confidence in the district courts themselves. It is also worth noting that only a handful of vacancies have been in play since section 35.051, Florida Statutes (authorizing designated office space in county of residence for district court judges who reside more than 50 miles from

HQ/branch and authorizing travel/subsistence reimbursement) became law.⁹ It would be precipitous to discount how this change may affect future applicant pools (i.e., more people may apply from distant circuits since they know they can have a dedicated office in their local county court and will be reimbursed for travel to HQ/branch).

The foregoing granular information is consistent with the responses to the primary general inquiry of the survey, “Would effectiveness, efficiency, access to appellate review, professionalism, and public trust/confidence be improved by a change in jurisdiction?”:

- 67% of all DCA judges (64 judges) said no; 20% didn’t know.
- 38% of non-appellate judges/attorneys (1553 respondents) said no; 36% didn’t know.
- 30% of public respondents (54 people) said no; 37% didn’t know.¹⁰

Summarizing, most believe the district courts are currently performing well with respect to all factors specified in rule 2.241(d)(1)-(5); many expressly opined that “it is not broken and does not need fixing or changes.” The Minority agrees. There clearly is no public mandate for adding a district court or redrawing boundaries; to the contrary, the majority of respondent stakeholders indicate no problems and believe no changes are needed. While some problems and areas of concern were identified, they either were irrelevant to the question of whether to add a district court or redraw boundaries or would not be resolved by doing so.

Filing Trends/Population Growth

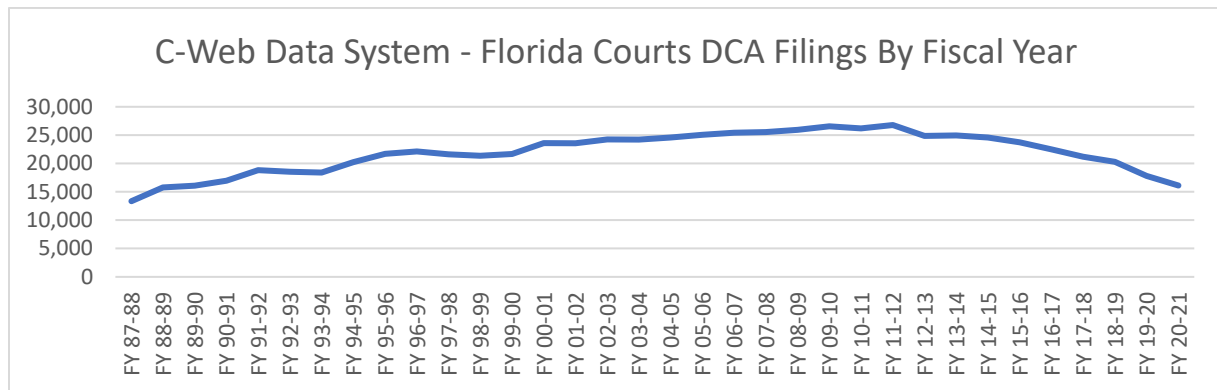
The Minority recommendation for no additional district courts also is supported by the precipitous decline in case filings for the last seven years. Graph 1 shows that district court filings have been generally declining since fiscal year 2011-12, when filings reached their high point at 26,803 filings. The last fiscal year in which DCA filings were not affected by COVID-19 was fiscal year 2018-19, in which there were 20,286 filings. The filings in fiscal year 2018-19 are 24% less than the filings in fiscal year 2011-12. Filings have not been as low as they were in fiscal year 2018-19 since fiscal year 1994-95, 23 years ago, when there were 20,225 filings.

⁹Second District and Third District vacancies that were filled in late July 2020 were announced before Governor DeSantis approved the amendments to Chapter 35; two Fifth District vacancies were filled in late 2020.

¹⁰See Appendix F, Summary of Survey Results, page F-30.

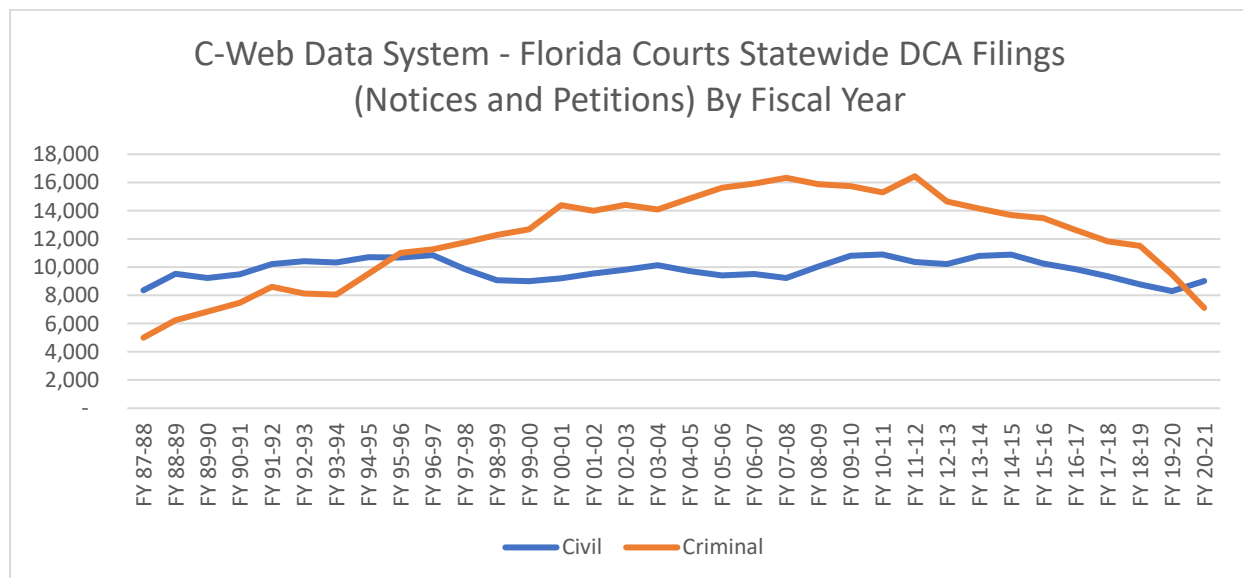
District Court of Appeal Workload and Jurisdiction Assessment Committee

Graph 1



Additionally, Graph 2 shows that the decline in criminal and civil filings has been consistent and steep. Criminal cases, including postconviction, went from 16,446 in fiscal year 2011-12 to 11,510 in fiscal year 2018-19. This constitutes a 30% decline in criminal cases. The drop in civil cases, which includes administrative, family, probate, juvenile, and workers' compensation cases, is likewise drastic. In fiscal year 2014-15 there were 10,894 civil filings in the DCAs. By fiscal year 2018-19 the number of civil filings declined to 8,776. This constitutes a 19% decline in civil filings in the DCAs. A closer examination of postconviction filings in fiscal year 2007-08 reveals there was a high of 6,095 postconviction filings. By fiscal year 2018-19 the number of postconviction filings dropped to 4,021. This constitutes a 34% decline in postconviction cases.

Graph 2



The steady multi-year decline in district court filings is unlikely to change in the near future as all trendlines have been on the decline and there

District Court of Appeal Workload and Jurisdiction Assessment Committee

is nothing foreseeable which would cause a change to the status quo. Significantly, Florida's population growth has not resulted in a corresponding increase in district court filings. The opposite is true: district court filings have been declining significantly despite significant population growth. This dichotomy of falling district court filings and increasing population can be explained by the large decline in the percentage of trial court cases, especially civil cases, which are concluded by jury trial, which invariably leads to an appeal in the district court of appeal. The significant decline in civil filings is further explained by statewide use of mediation and arbitration to settle civil cases. There is no reason to believe that the downward trend of civil filings will not continue or that civil filings will increase. Although criminal filings in the district courts likely will increase once the trial courts become fully operational post-pandemic, this uptick will only be temporary. The Workpapers of the Criminal Justice Estimating Conference, July 28, 2021 (<http://edr.state.fl.us>), predict that prison admissions will only return to their level of 2018-19 or lower (see page 8).

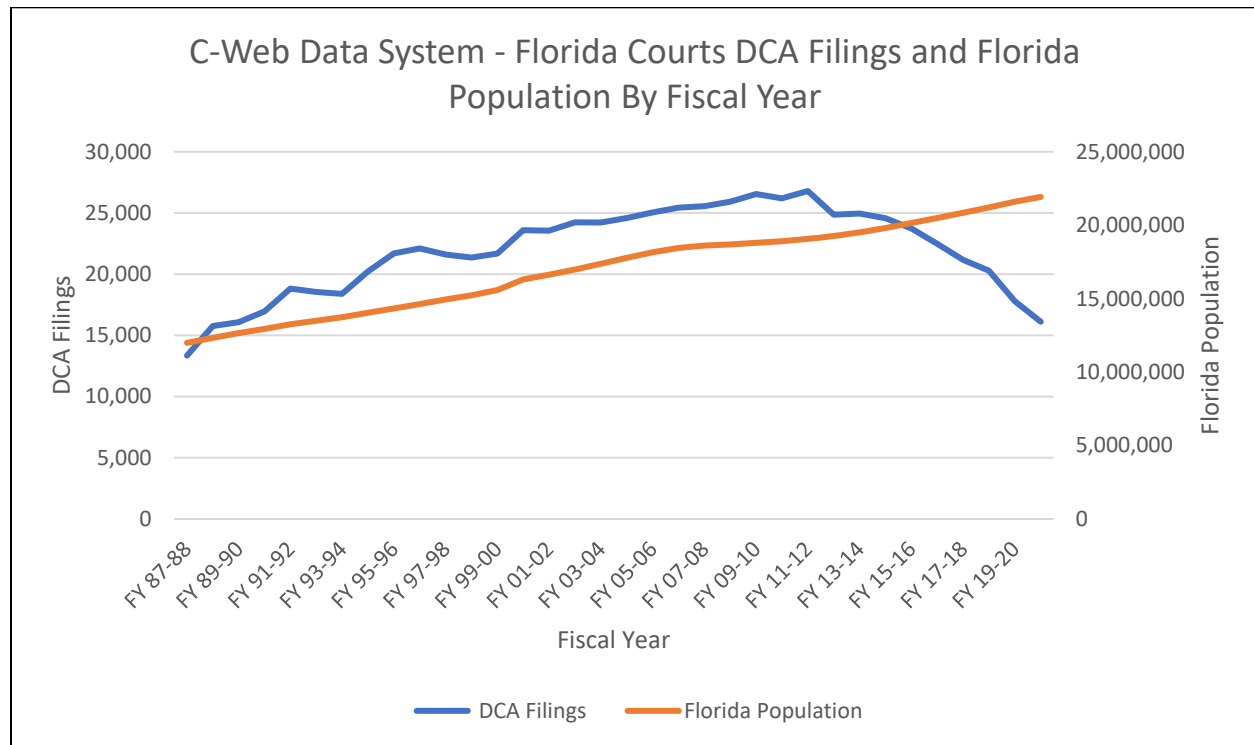
The Minority recommendation for no additional district courts is bolstered by comparing the recommendation of the 2006 DCA Workload and Jurisdiction Assessment Committee Report. The 2006 Committee concluded that there was no compelling need to create another appellate district: "Accordingly, the Committee recommends that the Court should not certify the need for an additional district court of appeal. . . . The Committee's reasoning is that there is simply no evidence of adverse conditions warranting such a disruption to the appellate system and there is no indication of a larger public or user demand for such a change." (2006 Report at 23, 24).

What is remarkable about the 2006 Committee's conclusion is the markedly different conditions that existed in the years prior to 2006 in comparison to the conditions that exist in 2021. 2021 conditions are that there has been a steady, substantial decline in district court filings. By contrast, in the many years prior to 2006, there had been a steady, substantial increase in filings. Graph 1 shows that district court filings in fiscal year 1987-88 were 13,355. From fiscal year 1987-88 to 2004-05, filings increased steadily and significantly to reach 24,583 in fiscal year 2004-05. This constitutes an 84% increase in filings over 16 years. Despite this significant increase, and the corresponding increase in Florida's population (see Graph 3), the 2006 Committee recommended against a new district court. The 2006 Report and the conditions reflected in the Report support the Minority's recommendation that there is no need for another district court. As it was in 2006, in 2021 there simply is no evidence of adverse conditions that would warrant such a disruption to the appellate system as would be caused by

District Court of Appeal Workload and Jurisdiction Assessment Committee

another district court and there is no indication of a significant public or user demand for such a change.

Graph 3



Chief Judges of District Courts Unanimously Do Not Recommend Changes

Lastly, the Minority’s conclusion that there is no need to increase, decrease, or redefine appellate districts is also consistent with the view of all the district court chief judges. Recently, the chief judge from each of Florida’s five appellate districts provided a response to the Chief Justice’s August 13, 2021, memorandum regarding Judicial Certification for FY 2022-23. In response, the chief judges were unanimous: no chief judge recommended a change to the appellate districts. And significantly, no chief judge reported an issue with the effectiveness and efficiency of the district courts. In reaching this conclusion, each chief judge that considered the rule 2.241 criteria determined that an analysis of the relevant factors does not support a need for change.